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No. 172

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

November 19, 2009.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, architect divine and the definer of measured change, help us to seize the present moment and accept our place in Your loving plan for us and for this Nation.

By Your grace, enable us to notice all the love that surrounds us and the unconditional love that comes from You alone. Fill us with gracious thanksgiving for all our many blessings, so the joy of gratitude may be shared with everyone who has a place at our table of life.

To You be praise and thanks, Almighty God, both now and forever.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come

forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

TAKING CARE OF OUR FIRST RESPONDERS

(Mr. ARCURI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCURI. Mr. Speaker, very often Members stand before this body and talk about the fact that we should never forget 9/11. Yesterday, I had an opportunity to stand with those first responders who responded to 9/11, not just the first responders themselves, but many of the family members of those who have passed away as a result of their service. And it's sad to hear their comments that, in fact, we have forgotten about 9/11, certainly the people that responded first. They are in desperate need of health care benefits as a result of the service that they rendered on that day at the World Trade Center site.

I think, when all is said and done, the quality of a society is not measured by its ability to wage war but, rather, by its ability to take care of those in its society who need it most. These individuals need the help of Congress to pass legislation to ensure that the health benefits that they need as a result of their service to this country are taken care of.

I strongly urge Congress to pass legislation to ensure that our first responders are taken care of.

WHERE ARE THE JOBS?

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, two nights ago, America learned that recovery.gov, the official administration Web site, was full of fake stimulus jobs in fake congressional districts. Last night, even ABC News broke that the Government Accountability Office says that one out of every 10 jobs created by the stimulus are also fake. When asked about the inconsistencies, the spokesman for recovery.gov replied, Who knows, man? Who really knows?

One thing is certain—Americans need real jobs. I call on my colleagues to listen to Republican plans to promote real jobs. Where are the jobs?

The Economic Recovery and Middle-Class Relief Act of 2009, which I support, unleashes the potential of American small businesses. It reduces the burden that government places on employers and employees.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

FIRE GRANTS REAUTHORIZATION

(Ms. SCHWARTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHWARTZ. I rise today to recognize the importance of the Fire Grants Reauthorization Act. These grants are a prominent demonstration of the Federal support for our Nation's first responders by enhancing their ability to protect the public from fire and related hazards. The Assistance to

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H13269

Firefighters and SAFER grants included in the act will help ensure that our first responders get the critically needed personnel, equipment, protective gear, emergency vehicles, training, and upgraded facilities they need to protect the public and the emergency personnel from fire and related hazards.

Every day our Nation's firefighters risk their lives to keep our communities safe. From 30,000 fire departments in the United States, a firefighter responds to a fire every 20 seconds. Philadelphia is home to one of the oldest fire companies in the country, dating back to 1736. The Philadelphia Fire Department is one of the busiest emergency management systems in the country, handling 260,000 responses in 2006.

Throughout my time in office, I have fought to ensure that our firefighters receive the respect and resources they so keenly require. I am proud to support the reauthorization of these grants and to support our firefighters in the efforts to support our communities and families.

BLUE RIBBON BLUNDER

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, it's not uncommon for Presidents' administrations to commit blunders, but of the several blunders that have been forthcoming from this administration, the one that stands out most prominently is the decision to authorize prosecution of the 9/11 terrorists in New York City.

This decision, Mr. Speaker, violates reason and common sense. The costs will be overwhelming, the risk not insignificant, and the defendants will enthusiastically embrace the circus atmosphere to espouse their radical views. I hope it is not too late to rescind this flawed decision and conduct the prosecutions before military tribunals.

Of the several blunders committed, this one must be awarded the ultimate blue ribbon. Mr. Speaker, let's hope it's not too late to rescind it and move forward.

ILLEGAL SUBSIDIES FOR AIRBUS

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, today in the days of 10 percent unemployment, it is particularly important to be fair to the American worker. And right now, there is a gross inequity to the American worker pending in the contract to acquire a new aerial fuel tanker by the U.S. Air Force.

Right now, we know that one of the bidders, the Airbus company, has received grossly unfair multibillion dollar subsidies from the European Union

countries. It is absolutely necessary for the United States Air Force to factor into this bid the illegal subsidies that Airbus consortium has received.

It is inconceivable that one agency of the U.S. Government has found illegal subsidies by this bidder, and another agency may award a bid without taking into consideration the illegal subsidies found by the WTO.

We are calling for the Air Force and the President to factor in these illegal subsidies so the American worker gets fairness. And that is what we deserve.

THE DRUG CARTEL ARMY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, The Washington Times recently reported that Mexico's two most deadly drug cartels have more than 100,000 foot soldiers in their criminal cartel armies. That massive firepower does battle with each other and battle with our Border Patrol and our border sheriffs. They fight for control over the drug and human smuggling routes into America.

The killing is rampant in Mexico, with over 7,000 murders this year. Law and order are absent in parts of that nation.

The two biggest and most violent criminal cartels control territory along the border at Laredo, Texas. Now, they are considering combining their criminal enterprises. These two groups, the Zetas and the Federation, if they unite, their 100,000-man army will be almost as big as the entire Mexican Army.

The threat keeps building at our southern border. Mexico is our border neighbor, and we had better be as concerned about the stability of that government and the security of our mutual border as we are about the stability and the borders of Iraq and Afghanistan.

And that's just the way it is.

SETTING THE RECORD STRAIGHT WITH SENIORS

(Mrs. DAHLKEMPER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAHLKEMPER. Mr. Speaker, it's time to set the record straight. Too many people are trying to scare our senior citizens with misinformation.

The truth is that the Affordable Health Care for America Act will strengthen Medicare for seniors and extend the life of the Medicare Trust Fund by 5 years. Without reform, the Medicare Trust Fund will be exhausted within the decade. What will happen to our seniors then? It is for our seniors that we must enact health care reform now.

Our health care reform plan will eliminate copayments for preventative health services in Medicare. It will close the prescription drug doughnut

hole and make lifesaving medications affordable for our seniors. And it will make Medicare more efficient and affordable for all seniors.

We owe our seniors the truth. That's why I'm proud to support health care reform that improves Medicare for seniors and health care for all in our country.

ILLEGAL SUBSIDIES IN THE TANKER COMPETITION

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, in September, the World Trade Organization confirmed that the European Union doled out billions in illegal subsidies to prop up the development of large aircraft. Those subsidies forced companies here in the United States to close their doors and sent Kansans to the unemployment lines.

Rather than continuing to ignore the WTO ruling, it's time for the Department of Defense to do the right thing, to take into consideration the WTO ruling as they finalize the tanker competition. At a time when the American people are struggling, this decision has the potential to create jobs and help our Nation's economy. The Department of Defense must base its decision on a fair and level playing field.

I am proud to stand with a bipartisan, bicameral group fighting for American workers and fighting for the American tanker.

I urge all of my colleagues to join us in this fight.

LEGAL AID FOR VETERANS

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN of Florida. Mr. Speaker, I rise today to congratulate the Legal Aid Society of Palm Beach County for launching a new innovative Armed Services Advocacy Project. This new service will provide civil legal assistance to Armed Forces members who have served in Iraq or Afghanistan and their families. With over 1,200 veterans of these ongoing conflicts residing in our community, the need for these services is tremendous.

The legal services provided by Legal Aid will be free of charge to Active Duty servicemembers, veterans and their families, and will cover a range of issues, most importantly, helping to improve access to veterans benefits.

I believe that every person who puts on the uniform of this country must have access to the full range of benefits they have earned. And this new Legal Aid project brings us one step closer to meeting this commitment in south Florida.

I would like to thank Robert Bertisch, Executive Director of the Legal Aid Society of Palm Beach County, and Elaine Martens of the Armed

Forces Advocacy Project, as well as all members of the society for their dedication to serving those who have served our country.

WORKSITE ENFORCEMENT IN FREE FALL

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, workplace immigration enforcement is in a free fall. We will discuss this free fall and other ways illegal immigration adversely impacts jobs at a Republican forum today at 1:00 p.m. in 2237 Rayburn House Office Building.

Workforce enforcement has dropped across the board from 2008 to 2009. Administrative arrests fell 68 percent. Criminal arrests fell 60 percent. Criminal indictments fell 58 percent. Criminal convictions fell 63 percent.

It's hard to conceive of a worse time to cut worksite enforcement efforts by more than half. There are 16 million Americans out of work, and yet the administration has chosen to ignore the fact that there are nearly 8 million illegal immigrants in the workforce.

Those stolen jobs should be returned to out-of-work citizens and legal immigrants. The Obama administration should put citizens and legal immigrants first.

INDIRECT LAND USE CHANGE

(Mrs. HALVORSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HALVORSON. Mr. Speaker, I rise today to talk about an important issue, indirect land use change, which affects many of my domestic ethanol producers. It assumes that biofuel production displaces other crops which are then grown in other parts of the world, leading to deforestation, and that American biofuel producers should be penalized for that indirect release of carbon due to the unrelated actions of foreign countries.

The facts are that deforestation, particularly in the Amazon, has decreased, while domestic biofuel production has doubled over the same period. The House included a provision in the Energy bill that prevents EPA from implementing this rule for 6 years while it is studied to see whether the theory is scientifically sound.

Meanwhile, EPA is slated to release a rule in December which would presumably include this theory. This provision could have harmful effects on our ethanol producers, and I urge EPA to refrain from implementing ILUC until proper science can support it.

□ 1015

WHO KNOWS, MAN

(Mr. MCCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. MCCLINTOCK. Mr. Speaker, the unfolding scandal of phony or inflated job claims from the so-called stimulus bill should shock the conscience of the Nation and permanently stain the reputation of this Congress and this President.

But it gets even worse if we take them at their word. As of this morning, the administration claims that in my Fourth Congressional District of California, the brain trust at the Treasury has spent \$182 million to save or create all of 168 jobs. That is \$1.1 million per job. They claim to have saved or created 110,000 jobs in California. But 75,000 of those 110,000 jobs occur in a single ZIP code, 95814. What's 95814? That's the ZIP code that encompasses the State capitol building and the State bureaucracies.

Stimulating the economy? Mr. Speaker, all we're stimulating is government at the expense of the economy.

ILLEGAL LAUNCH AID SUBSIDY

(Mr. DICKS asked and was given permission to address the House for 1 minute.)

Mr. DICKS. Mr. Speaker, I'm concerned about the Air Force's approach to acquiring the next generation of air refueling tankers because the draft RFP the Air Force has published has ignored an important element in the competition. The U.S. Government in 2004 filed a complaint with the WTO that European governments had illegally subsidized EADS/Airbus in the development of commercial aircraft, allowing Airbus to steal market share and U.S. aerospace jobs. Now the WTO panel reviewing the matter has rendered an interim decision that these subsidies were improper and caused adverse effects to the interests of the United States.

Now the Airbus/Northrop Grumman team wants to use the A-330 platform, which received \$5.7 billion in direct launch aid subsidy, as the airframe for the Air Force's refueling tanker. In soliciting bidders for the tanker, we simply must insist that the Department of Defense/Air Force take into account the illegal launch subsidy, without which the A-330 might never have been built.

MEANINGFUL HEALTH CARE REFORMS

(Mr. LEE of New York asked and was given permission to address the House for 1 minute.)

Mr. LEE of New York. A recent report by the Obama administration confirmed that Speaker PELOSI's health care bill will cut seniors' Medicare benefits and, in particular, Medicare Advantage. The report from the non-partisan Centers for Medicare and Medicaid Services said that Speaker PELOSI's bill would slash Medicare and Medicare Advantage by more than \$500 billion. According to The Washington

Post, these massive cuts "would sharply reduce benefits from some senior citizens and could jeopardize access to care for millions of others."

My district in western New York has the greatest number of Medicare Advantage enrollees in New York State. Medicare Advantage provides seniors a comprehensive health care plan that they can afford, yet Speaker PELOSI's bill will all but destroy this program.

It's important that Congress enact meaningful reforms to our health care system to improve affordability and accessibility, but we should not financing these reforms on the backs of seniors.

EXTENDING FIRST-TIME HOME- BUYER TAX CREDIT TO MILI- TARY FAMILIES

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL of New York. Thank you, Mr. Speaker, for the opportunity to speak today about a very important issue for our Nation's military families. On November 6, President Obama signed into law the Worker, Homeownership, and Business Assistance Act of 2009, which included an extension of the \$8,000 first-time homebuyer tax credit. This credit offers a special rule for servicemembers who have served on extended overseas duties since the end of 2008.

Those serving on extended duty outside the United States for at least 90 days between December 31, 2008, and May 1, 2010, qualify for an additional 1-year extension through May 1, 2011, of the \$8,000 first-time homebuyer credit. We should not penalize those serving our country overseas. I was proud to cosponsor and vote for this provision in the House of Representatives.

Extending this credit gives our servicemembers abroad the latitude necessary to take advantage of this important provision while readjusting to civilian life back here in the United States.

LEVEL THE PLAYING FIELD

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, we need an American air refueling tanker built by an American company with American workers. And we need it now more than ever. With unemployment at over 10.2, it's unbelievable that the Pentagon would consider outsourcing this key national security asset to the French. But not only is the Department of Defense considering this; they are bending over backwards to ensure that EADS, the French company, can compete.

The Department of Defense is turning a blind eye to the World Trade Organization's ruling that found EADS guilty—guilty of receiving billions of

dollars in illegal subsidies. This distorts the marketplace and gives EADS a clearly unfair advantage in the competition. The Department of Defense is also waiving five expensive regulations for the French company, but not for the American workers. This makes the American tanker more expensive and less competitive.

The Pentagon should develop a fair level playing field for the air refueling tanker competition, and this can only happen when these illegal subsidies are considered and all regulations are equally applied to both competitors.

WINNERS AND LOSERS

(Mr. LARSEN of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LARSEN of Washington. Mr. Speaker, I rise today to express my concern about the illegal subsidies that have been given to Airbus by the European governments. It's been widely reported that the World Trade Organization found the EU guilty of providing Airbus with billions of dollars in illegal and improper subsidies. These subsidies gave Airbus an unfair advantage for years, costing good-paying American jobs. At the same time we're fighting Europeans over their illegal subsidies, our Nation is considering buying \$35 billion worth of Airbus aerial refueling tankers.

Now who wins if we ignore these subsidies? European taxpayers will get a huge return on their illegal investment in subsidies for Airbus and European workers who are designing and building the Airbus airplanes.

Who loses? U.S. workers, who will lose their jobs, and I think our men and women in uniform, who might get an illegally subsidized tanker instead of the best tanker for their mission.

Airbus' history of subsidies should not be ignored in this tanker competition.

GITMO

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Well, the administration announced it would hold civilian trials in New York for the 9/11 mastermind and other terrorists. I suspect the administration hopes this move will hasten the closure of Guantanamo.

The administration's announcement is exasperating, irresponsible, and absurd. Terrorists just do not deserve the same right to trial as Americans. Moving terrorists to New York will give those who wish to harm us constitutional rights that they do not deserve. Also, it will expose our intelligence-gathering methods to the world.

For the safety of all Americans, the trial should be held in military courts in Guantanamo. The administration

should never put the rights of terrorists above the rights of Americans.

God bless America.

MORE OF THE SAME FROM DRUG MANUFACTURERS

(Mr. OLIVER asked and was given permission to address the House for 1 minute.)

Mr. OLIVER. Mr. Speaker, amidst one of the worst recessions in our Nation's history, as Americans are tightening their budgets, our friendly drugmakers are flying high. While promising to support the health care overhaul by cutting \$8 billion per year from our Nation's prescription drug costs, they're busy raising the prices of brand-name drugs by 9 percent. That will add more than \$10 billion per year to prescription drug costs.

While the Consumer Price Index has fallen, the drugmakers are creating the highest annual rate of inflation for drug prices since 1992. It was only 3 years ago, in 2006, as the new Medicare part D program was going into effect, our prescription drugmakers raised their prices by four times the general inflation rate for the first quarter of that year.

America, we have foxes in our hen house. Drugmakers are up to the same old tricks again, gouging America's senior citizens while pretending to work cooperatively with us on the health reform effort. Their profit margins are their only concern. How could we have expected anything else?

GIVE AMERICA A FAIR SHAKE

(Mr. REICHERT asked and was given permission to address the House for 1 minute.)

Mr. REICHERT. I raise my voice loudly today on behalf of more than 22,000 Boeing workers in my district and all those thousands of workers across the State of Washington. The Department of Defense has pledged a fair and transparent process when it comes to awarding a new tanker contract for the Air Force. It must take a long, hard look at every angle when dealing with these decisions about the manufacturing of critical military equipment.

Billions of dollars of European "launch aid" subsidizes Airbus and gives them a grossly unfair competitive advantage in the global marketplace. This must not be ignored in awarding a tanker contract.

This is about fairness, it's about common sense, and has serious implications for our economy and our national security. Boeing workers produce the best planes in the world. They represent a long tradition of excellence and innovation. Let's give America a fair shake. Let's let the people of Boeing build this airplane.

PROVIDING FOR CONSIDERATION OF H.R. 2781, MOLALLA RIVER WILD AND SCENIC RIVERS ACT

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 908 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 908

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2781) to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 908.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARDOZA. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 908 provides for consideration of H.R. 2781, a bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon as components of the National Wild and Scenic Rivers System, under a closed rule.

□ 1030

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute, recommended by the Committee on Natural Resources, now printed in the bill, shall be considered as adopted. The bill, as amended, shall be considered as read. The rule waives all points of order against the bill, as amended. Finally, the rule provides for

one motion to recommit with or without instructions.

Mr. Speaker, the bill before us today, H.R. 2781, would add two segments of the Molalla River totaling 21.3 miles in northwestern Oregon to the National Wild and Scenic Rivers System. The two segments, 15.1 miles on the main stem of the Molalla River, and 6.2 of the Table Rock Fork, would be designated as a recreational river.

The Molalla rises in the Cascade Range, east of Salem. From its headwaters above the Table Rock Wilderness Area, the river flows through cedar, hemlock and old-growth Douglas fir forests, and basalt rock canyons until it meets the Willamette River near Canby. The Molalla River is an essential wildlife area for the pileated woodpecker and both golden and bald eagles. It is also within an hour's drive of the Portland and Salem metropolitan areas and provides significant recreational opportunities for fishing, hunting, canoeing, kayaking, white-water rafting, mountain biking, horse-back riding, hiking, camping, picnicking, swimming and diving, all wonderful, great traditional American recreational activities.

These opportunities and a 20-mile hiking, mountain biking area and equestrian trail system draw over 65,000 visitors annually. I would add that the Molalla River also served as both a trail for indigenous Molalla Indians and as a vital trade route between pioneers in Oregon. The river is also where the cities of Molalla and Canby derive their drinking water.

In earlier planning analyses, the Bureau of Land Management determined that most of the river and the Table Rock Fork should be considered for designation as wild and scenic rivers. In testimony before the House Natural Resources Committee, BLM stated, "the designation called for in H.R. 2781 would be largely consistent with management currently in place, and would cause few changes to BLM's current administration."

Mr. Speaker, I would like to commend the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Oregon (Mr. SCHRADER) for bringing this legislation to the floor today so we can ensure America's beauty and natural wonderment is preserved both now and for future generations.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague from California for yielding me time. I am opposed to the rule and the underlying bill for reasons that I will make clear and that my colleagues will make clear.

At this time, I would like to recognize my colleague from Utah (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, I am opposed to the rule because an amendment that was under my name was not admitted in the rule by the

Rules Committee. However, the issue at hand in both that amendment and the underlying bill is very small. It's 400 acres in Oregon. That is truly, in the scope of things, an insignificant number. What is significant, though, is the concept behind it, because it represents a larger, more pernicious issue that simply the leaders of this Congress are failing to address or even acknowledge.

Now, I have to admit that the fact that I am an old public schoolteacher is part of the problem. I spent 16 years in the Utah Legislature serving on the Public Education Subcommittee. I understand how difficult it is for those of us who are in the West, Mr. Speaker, the gentleman from the other side, how difficult it is for us to fund our public education system. And part of it is from the example that I have before me.

This chart simply shows the amount of Federal land that is owned in each State. As you notice, there is a somewhat disproportionate amount in the West. The Speaker's State of Arizona has a great deal; my State does; the State of Oregon, a little bit less. But nonetheless, there is a significant amount of land that is controlled by the Federal Government.

Many of our friends in the East who don't have that same opportunity have a hard time understanding what it's like to be a public land State. However, the second one, perhaps the more difficult one, is this chart which simply shows the number of States in red are the ones that have the most difficult time funding their public education system. These are the States whose growth in public education funding is the slowest, the most difficult.

You will notice that there is a unique correlation to the amount of Federal land that is owned and the inability of States to fund their public education system. It's almost a one-to-one relationship that happens to be there. So the 400 acres that would be taken out, the potential timberland that would be taken out of potential production in this particular bill, actually is land that no longer produces timber today. That's part of the problem.

It's one of the reasons why we received a letter from California and Oregon county officials who have what's called O&C land. O&C land is land that is dedicated for timber production. This 400 acres is not considered O&C, but it is the same concept. It is land that could be used for timber production.

What this bill will do in taking this small amount of land is to finalize and put in statute the bad administrative decisions of the past which have taken it out of production so it no longer can produce the revenue that we desperately need in these States to try to fund public education. The sponsor of this piece of legislation understood that. He got it right. When he came before the committee in our hearing, he simply used this statement when he

asked the ranking member and the chairman to find an offset so that they did not lose the value of this small amount, 400 acres.

Unfortunately, we did not find an offset, and that was the crux of my amendment, both in committee as well as before the Rules Committee. There needs to be some kind of offset.

It says something even more disgusting as well, that if the Interior Department—of all the vast acreage of land that the Federal Government owns, 1 out of every 3 acres in this Nation—cannot find 400 acres as an offset for the State of Oregon, there is something terribly wrong in the mindset of the Interior Department here in Washington.

The issue is schoolkids. Are we going to try to help States fund their education system or not? I recognize that my amendment was ruled nongermane. Our germaneness rule is used more in its absence than in its regulation. But the issue at hand is simply, the gentleman from Oregon was right in the hearing—he got it right when he wanted an offset. The leadership of this Congress was wrong when they decided not to heed his warning and not to give his request. Today it's 400 acres. Tomorrow it may be 16,000 acres in another bill or 9.8 million acres in another bill.

It simply says, our kids are props for political purposes around here, but we really don't care about trying to find a long-term funding solution. The Rules Committee made this amendment out of order. I recognize that they can justify that on the grounds of germaneness. They could have just as easily incorporated the amendment without that as well. We do it all the time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. FOXX. I yield the gentleman 1 additional minute.

Mr. BISHOP of Utah. We justify those kinds of decisions all the time. I recognize that the Rules Committee will take its orders from leadership. That has to happen. They cannot ignore those things. But at the same time, had the Rules Committee followed the wishes of the gentleman from Oregon, we could actually be setting a precedent to help kids. When the Rules Committee failed to heed the request of the gentleman from Oregon, the sponsor of this piece of legislation, when he was justified and correct in coming before our hearing, what it simply said was that we put kids at a lesser priority than other protected kinds of issues.

Once again, this is the problem. It is this amount of land that causes the difficulty of Western States—all of our Western States on a State level—to provide for their needs. And that's what our amendment could solve. That amendment was not made in order. That is simply wrong. Please vote down the rule so that we can put this amendment back in place.

Mr. CARDOZA. In response to the gentleman from Utah, I would say the

following. Two of the amendments that the gentleman offered to the Rules Committee on H.R. 2781—one amendment was nothing more than political talking points with zero substance. The second, the other amendment, was both nongermane and a violation of PAYGO under the House rules.

Further, I would add in response to the questions with regard to the Obama administration that, on November 13, the Obama administration reiterated in a letter to Chairman GRIJALVA, stating, “There are no timber contracts within the Federal lands proposed for designation under H.R. 2781.” I would like to insert into the RECORD a letter from the department indicating that to the chairman.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, November 13, 2009.

Hon. RAÚL GRIJALVA,
Chairman, Subcommittee on National Parks,
Forests, and Public Lands, House Committee
on Natural Resources, House of Rep-
resentatives, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed are responses prepared by the Bureau of Land Management to questions submitted following the Subcommittee's Thursday, October 1, 2009, hearing on, H.R. 2781, “Molalla River: National Wild and Scenic River System.”

Thank you for the opportunity to provide this material to the Subcommittee on National Parks, Forests, and public Lands.”

Sincerely,

CHRISTOPHER P. SALOTTI,
Legislative Counsel, Office of
Congressional and Legislative Affairs.

Enclosure.

QUESTIONS FOR ROBERT ABBEY, DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR.

Questions from Representative Grijalva:

1. How does BLM usually manage private land within wild and scenic river corridors?

Answer. Under the Wild and Scenic Rivers Act, the Federal government has no authority to manage private lands within wild and scenic river corridors.

2. Are there any timber contracts within the corridor of the proposed designation for the Molalla?

Answer. The BLM in Oregon informs me that there are no timber contracts within the Federal lands proposed for designation under H.R. 2781, which designates segments of the Molalla River in Oregon as components of the National Wild and Scenic River System.

Third, with regard to Mr. SCHRADER's comments, the gentleman said that we should have heeded Mr. SCHRADER's comments. Well, guess what. Representative SCHRADER, who represents this area, expressed a concern, as the gentleman indicated, about this issue at the Natural Resources Committee hearing in October. He also states in a letter to us, that I will have inserted in the RECORD, that since that time he has investigated this concern with the agencies on the ground and wrote the committee on November 10 to say that he was totally satisfied that the bill will not remove trees from the timber stock because there are no timber contracts planned in the area, and there are none now, and there are none planned. So I would like to submit for the RECORD Mr. SCHRADER's letter.

HOUSE OF REPRESENTATIVES,
Washington, DC, November 10, 2009.

Hon. NICK RAHALL
Chairman, House Committee on Natural Resources,
Longworth House Office Building,
Washington, DC.

DEAR MR. CHAIRMAN: I write to express my support for the committee's amendments to my bill, H.R. 2781, to designate segments of the Molalla River in Oregon as components of the National Wild and Scenic Rivers System.

At the October 28th markup of H.R. 2781, mention was made of a statement in my testimony regarding 420 acres of timber management, or “matrix,” lands that will be within the river corridor when my bill is enacted. Since the October 1st hearing before the National Parks, Forests and Public Lands Subcommittee at which I testified, I have consulted both the Bureau of Land Management and committee staff about those matrix lands. I am satisfied that this designation will not remove trees from the timber stock: there are no timber contracts in that area, and no timber sales are planned.

I reserve the right to offset logging acreage in future bills I might introduce, but I see no need to add such language to H.R. 2781 at this time. Thank you for your support of this legislation which has overwhelming support within my district and thank you for all your work you do as Chairman of the Natural Resources Committee.

Sincerely,

KURT SCHRADER,
Member of Congress.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 1 minute to the gentleman from Utah.

Mr. BISHOP of Utah. I appreciate the comments made by the gentleman from California, and I think I tried to state those comments earlier on.

The letter we received from the Association of O&C Counties—that's Oregon and California—concerned about this particular issue does include and specifically mentions these 411 acres in this National Wild and Scenic Rivers bill. I also recognize that the gentleman from Oregon, who is the sponsor of this bill, has since sent a letter that says that it does not have an impact. It does not have an impact because of bad administrative decisions made earlier that have already taken this out of timber production.

What we are doing with this bill is now putting that in statute so that we cannot at some time reverse that with the ease with which we took them out in the first place. We have made bad decisions time after time after time, which has impacted the timber industry in these States and has impacted their ability to fund their local governments and especially their education system. That was the fundamental reason it was ruled out of order. It violated PAYGO because, if you actually did put that, those funds would have to be shared with the local States.

Mr. CARDOZA. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this, as I appreciate his clarity in moving it forward. It is my privilege to represent part of

Clackamas County in my congressional district. Now while I don't actually have the area in question, I have worked very hard with my colleague Congressman SCHRADER to make sure that the interests of this diverse county are, in fact, represented. And if one came from Mars and listened to the debate, they might be a little confused on this point.

First, the land in question is not O&C land. It is BLM land. There is no fiscal impact here. There is no timber that is involved. I worked very closely with this county and have for decades. The county commissioners now, as they have in the past, have been very careful to heed the balance of resource protection, economic development, the environment, and tourism in the broad range of areas. I have worked with them on wilderness legislation, in wild and scenic legislation, including the one signed into law by President Obama at the beginning of this year.

I have had times when they have been hesitant because they have had questions about whether the benefits of economic development of tourism, of wilderness protections, would offset potential loss of timber production. The county has gone through the process here yet again. It is their judgment, and one that I strongly support, that the resource protections to have this stretch of the Molalla River being granted Wild and Scenic protection is well worth it.

There is a minuscule amount of land that would not be removed from potential harvest, but it's not going to be harvested now. It's not going to be harvested in the future. If the gentleman would come with me to Clackamas County, Congressman SCHRADER and I would be pleased to show him this precious resource and why there was never any question that this would not be harvested.

So people can go on and confuse BLM land with O&C land. They can talk about their disputes with this administration and past administrations about timber practices. That's fair game. And they will battle that. Frankly, the American public supports wilderness protection. The American public wants the protection not just of Wild and Scenic Rivers but of our precious watersheds where half the people in my State get their water from national timberland. As my friend from California knows, this is a very sensitive issue these days.

□ 1045

Mr. Speaker, I am proud to support this rule. I am proud to support this underlying legislation. It has been carefully crafted by my friend, the gentleman from Clackamas County. He lives in this county not very far from the river that would be so designated. It is a testament to his quick assimilation into the ways of the House of Representatives, to be able to move forward with significant wild and scenic legislation, to be able to work with the

local environmentalists, work with the county commission, to come forward with something that not only will protect a natural resource for years to come, but it is also going to enhance the local economy.

This will in fact deal with the future of the children of Clackamas County because the economic development potential that will be generated by people who use this waterway, you come year round and not just in high water times, people navigate these waters in Clackamas County. It is a growing and thriving area of economic development, of recreation for people young and old, and for the character of a unique county in our State and in our Nation.

Mr. Speaker, I am proud to speak in support of the rule, the underlying legislation, and I look forward to passage of both.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

You know, Republicans are getting very tired of being accused of not being sensitive to our environment. We are very sensitive to the environment. We want to protect water everywhere. We have been very, very vocal on that issue, especially this session, especially as it has related to the West, and my colleague on the Rules Committee knows that.

However, we are also concerned about jobs for the American people. We know that the unemployment rate has recently reached a record high of 10.2 percent, the highest unemployment rate our country has in 26 years, and aptly described in a Wall Street Journal editorial this week, "It is no wonder Americans seem to have only three things on their mind right now: jobs, jobs, and jobs."

If nothing else, the Federal Government should do no harm to the job market—that is common sense—but that is exactly what the Democrats in charge are doing with this legislation today. They are going to be harming American families by increasing unemployment.

Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. BISHOP), who is going to deal with some of the issues that our colleague from Oregon has raised on this issue.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the time.

I am sorry that the gentleman from Oregon came in late during the discussion and has left that side of the aisle. I want to make it very clear, when I was making my first statements, I did not say that these 400 acres were O&C lands—I made that very clear—but they are treated like O&C lands, which is why the local leaders from Oregon and California sent the letter and specifically asked any kind of lands taken out of the ability to be used for timber production be offset. They specifically requested in a number of other areas this particular area that will be made wild and scenic. This is the request that comes from the local leaders in

California and Oregon which recognizes what happens when these lands are taken out of production, and they clearly, as I do, understand that there is economic development from tourism. There is also economic development from manufacturing and there is also economic development from timber harvest, and they each have a different role to play. And each have a different amount of money they do to help kids.

These local leaders recognize that fact which is why they supported what the sponsor of this bill originally wanted to do. Unfortunately, the House leadership has not recognized what his wishes were and has not done what the sponsor originally wanted to do. Though he has now changed his mind, he says these lands are not now producing timber, that is not the issue. The issue is will they ever be useful in that particular effort. That is what we are trying to do with the amendment which should have been made in order. It should have been part of the original bill that came out of the committee. There is no reason why it should not have been.

Now, I recognize there is a significant issue, Mr. Speaker, and let me do just one thing very quickly, because what these local leaders are talking about is specifically allowing them to have some kind of control over their own destiny. We see that played out in bill after bill and issue after issue on this floor.

The other week we passed a small bill, maybe some of you have read about it in the papers, about health care. One of the issues of that bill is it stops local, creative, alternative approaches.

The State of Utah started a local approach for health care reform. They got it right. It was based on empowerment of individuals by employers who would now have a common understanding of what they would have to spend on health care, to be able to give that to their employees, so the employers go to a State index where they have presently 66 options from which to choose. It was an effort to empower individuals. It is an effort of States to solve their own problems because States understand the unique demographic needs that they have in those particular States. Unfortunately, the bill that was passed, if it were to go all of the way through the system, stops the States dead in their tracks from actually implementing their own local reforms, just like this would stop the local areas from implementing their own local reforms.

Now, I hope we understand how significant it is that you can't get enough experts here in one particular room to solve all of the problems in the world, and we should look at the concept of States and local governments having their own ability to experiment and their own ability to meet their local demographic's needs and their own ability to come up with unique and clear ideas, and we should be empow-

ering local governments to make those decisions, not restricting them with a one-size-fits-all mentality or telling them what they will and will not do on the local level.

Mr. CARDOZA. Mr. Speaker, as part of the course of debate, the gentleman from North Carolina indicated that they have been very supportive of the environment, and she has indicated that they are getting a bad rap, as it were, for not being supportive of the environment. I would like to ask the gentlelady how many wild and scenic bills have they supported on the floor this session of Congress. I know we have had a number, and I don't recall a one that they have supported.

Mr. Speaker, at this time I yield to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

Ms. FOXX. Would the gentleman yield?

Mr. DEFAZIO. I yield to the gentlelady.

Ms. FOXX. I thank the gentleman from Oregon for yielding.

We have voted for all of the wild and scenic bills that have met the proper definition of wild and scenic rivers.

Mr. DEFAZIO. Okay. That would raise a further interrogatory with me: How many did you deem in your opinion met the proper definition?

I yield.

Ms. FOXX. Not the one in Massachusetts, the Taunton River, and not this one.

Mr. DEFAZIO. Thank you.

Reclaiming my time, it is interesting to me, and I represent one of the districts most impacted by changes in Federal forest policy and suffering some of the highest rates of unemployment in the United States, and it is interesting to hear the gentleman from Utah now come before us as such a tremendous advocate for local governments with revenues created or shared from Federal lands, because when we were in a crisis, the Bush administration having made no changes in Federal forest policy and still limping along during the 6 years that the Republicans controlled the House, the White House and the Senate, the guarantees that had been put in place to ameliorate the impact of the Clinton forest plan, which I opposed, expired. They just expired while George Bush was in the White House and the Republicans controlled the House and the Senate.

Now I wonder about that tremendous concern. At that time when they controlled everything, they had an opportunity to continue a program that would fund sheriffs and would maintain our jail space and would fund our roads, bridges, and highways on the county system, would help fund schools, they just walked away from it. They let it die. And it took the Democrats 5 months to pass, after we took control from the Republicans, despite the objections of the Republicans and

the Bush administration, to pass legislation to give emergency payments for 1 year, and then yet again the Democrats in the last Congress extended the program for 4 years with a phasedown.

I actually did bring my bill for authorizing programs to the floor of the House last year on June 5, 2008. It was brought up under a suspension of the rules, unfortunately. Because of Republican opposition to the bill, it was deemed it would have to come up under suspension of the rules. We got 218 positive votes; 16 of those were Republican, 16, but it was not the gentleman from Utah. He opposed my proposal.

Suddenly, now, over a little 400 acres of land, which does not have any potential to produce any large amount of money, if any, under the current forest management, he wants to block this bill. But last year when the opportunity to vote to extend funding to all of the counties and school districts in America, and his State would have been one of the greatest beneficiaries outside of Oregon and California, he voted "no."

So sometimes around here, I think the proof is in the pudding on how you vote. I think it is an objection of convenience on the part of the gentleman, this sudden, newfound concern for local governments and schools for the non-existent revenue from this very small parcel of land as opposed to the benefits that would accrue to that area by the protection of this. The local governments and all of the other officials in that area support the legislation. They aren't concerned about some theoretical, infinitesimal loss of money. They are more concerned about protecting the resource and developing that area into a recreation corridor that will attract people from around the State and perhaps from around the Nation to that area. That is part of their local economic development strategy, and that is what the local governments want. That is what the Representative for that district wants. That is what I support, and I will just say that any specious argument that somehow this hurts local government, hurts schoolkids, hurts public safety, coming from someone who opposed an opportunity to give robust funding for public safety, schoolkids all across America, to all of these distressed counties, is a little bit out of line.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

You know, from almost the very first day when I came here, I heard my colleague from Oregon blaming George Bush for everything insufficient in this country. That started in 2005 and he is still doing that, just like many of our colleagues here. But the Democrats in charge can't hide from the fact that they now control the House, the Senate, and the White House, and what are they doing to solve the problems? Very little.

I want to say that the sponsor of the bill actually brought up this issue that our friends across the aisle are trying

to say now is our issue, but unfortunately the sponsor of the bill has been helped to change his mind on the issue by the Democrats in charge because it suits their purposes more.

And actually, the GOP has been the leader in starting good environmental programs in this country, just as we were the people who passed the civil rights bills back in the sixties without very much help from our colleagues across the aisle. They love to engage in revisionist history.

□ 1100

Mr. Speaker, I would like to say that this bill could have been brought to the floor under an open rule, and we could have been debating amendments. But it's been brought in a closed rule. Actually, this bill is probably going to pass, the rule and the bill will pass overwhelmingly; and the real reason that we're doing this today is to kill time again. We've been voting on a lot of things we haven't really needed to vote on with a recorded vote because the majority wants to, again, kill time in order to be dealing with problems where their majority is not going to hold very well.

What we are going to be voting on a little later today, we think, is a bill which our colleagues across the aisle call the "doc fix" but we call the "doc trick." It's really a Trojan horse. Supposedly it is going to take care of the reimbursements for physicians in our country that are scheduled to be cut next year by 20 percent.

But this "doc trick," as I said, is really a Trojan horse because it is not deficit neutral, and it is a bill that is going to increase spending by at least \$209 billion plus another \$70 billion that's hidden in administrative actions by the Department of Health and Human Services. So it's going to really cost \$279 billion. When you take the "doc trick" in combination with the health care bill, the combination increases the deficit by \$100 billion.

This is unconscionable in a time when we have the largest deficit ever in the history of this country, which is the biggest concern of the people in this country. They are not as concerned about health care as they are about jobs and about the horrible debt that we are incurring not only for ourselves but for our children and our grandchildren.

Republicans have made a commitment that if we take back the majority next year, we will fix this reimbursement for physicians permanently. But that's not what's going to happen with the "doc trick" shell game that is being brought to us. And what they're going to do is say that it's going to be compliant with PAYGO.

You know, every time I hear the term "PAYGO," we know, and the American people are beginning to notice, that it is a big joke. It's been talked about as a joke by almost every editorial in the country. The Washington Post has called it a shell game,

budgetary smoke and mirrors. It's going to add billions to the deficit even though President Obama promised, "If you're a taxpayer concerned about deficits, I want to reassure you that I am too. That's why I have pledged I will not sign health insurance reform that adds even one dime to our deficit over the next decade and I mean it." This was said by President Obama in Shaker Heights, Ohio, on the 23rd of July.

We also know that the Senate has already rejected a bill almost exactly the same as the one that's going to be voted on today. Thirteen Democrat Senators opposed it. Senator KENT CONRAD said, "I don't agree with just adding that amount to the debt." He happens to be a Democrat from North Dakota. Senator EVAN BAYH, a Democrat in Indiana, said he couldn't support it at a time when we are hemorrhaging red ink. Senator JOE LIEBERMAN, independent, but caucusing with the Democrats said, "Out of nowhere we're asked to provide \$250 billion to cover services without any payment for it, increasing the debt by that amount." He added that if lawmakers pass health care reform that includes a public option, the debt crisis will only worsen.

This is the wrong direction to be going in this country, Mr. Speaker, because we're adding debt; and, as I say again, the bill that's going to be presented today is a Trojan horse. It is not going to help our physicians dealing with reimbursements. It is a trick to say that it is being taken care of. It was taken out of the major health care bill.

Those are the kinds of things that we should be dealing with on this floor. We should have open rules, and they should not be doing their best to fool the American people on what is really happening with our debt and with costs.

Mr. Speaker, I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, in the 7 years that I have been here and the years that I have watched this Congress beforehand, I sometimes watch the floor and I can't believe what I'm hearing. I can't believe my ears. Today what I'm hearing on the floor really takes the cake.

The gentlewoman from North Carolina in her statement just now indicated that the Republican GOP had passed the Civil Rights Act legislation with almost no help from the Democrats. I can't believe my ears. It was the Kennedy and Johnson administrations where we passed that Great Society legislation. It was over the objections of people like Jesse Helms from the gentlewoman's State that we passed that civil rights legislation.

JOHN LEWIS, a Member of this House, was beaten on the Edmund Pettus Bridge to get that civil rights legislation passed. Tell JOHN LEWIS that he wasn't part of getting that legislation passed.

I sometimes cannot believe what I hear on this House floor. And I will tell

you today that I will stand by these statements, and I am very proud of what my party has done to advance civil rights legislation in the United States of America.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I'd just like to point out to the gentleman from California that Senator Helms was not elected to the United States Senate until 1972 and was not in the Congress when the civil rights legislation was passed in the 1960s.

Mr. Speaker, if this legislation passes as it's written right now, 420 acres of timberland will be lost and along with it local jobs and funding for local schools. As Mr. BISHOP has suggested with an amendment he offered in the Rules Committee on Tuesday, a better name for this bill would be the "School Children and Jobs Left Behind Act."

Even worse, Oregon's unemployment level in September 2009, the latest on record, was 11.5 percent, up almost double from 6.8 percent in the same month last year.

Most of Oregon's economic output depends on the State's timber industry. Valuable revenue needed to fund schools has been lost as well. According to the Pew Center on the States, Oregon has lost 19 percent of its revenue in the last year and faces a budget gap of 14.5 percent in fiscal year 2010. According to the U.S. General Services Administration, the Federal Government already owns 53 percent of the State of Oregon, 53 percent. Apparently that's not enough to satisfy special interest groups to which the Democrats are beholden. This bill will lock up 420 more acres that could be used to produce much-needed revenue for the State while at the same time refusing to open up an equal amount of Federal land to offset more job losses during a recession.

As Ranking Member HASTINGS described to the Rules Committee, it's longstanding tradition that the Natural Resources Committee be respectful of the views of those elected to represent a district and show deference when a Member opposes an action that's proposed in the district that Member was elected to represent.

In his testimony to the subcommittee, Mr. SCHRADER specifically asked that as this bill moves forward, work be done to ensure that there will be no net loss of acres available for timber management as a result of this legislation. However, Democrats on the Natural Resources Committee blocked an amendment offered by Mr. BISHOP to ensure the lost timberlands were offset and the health of the local economy be maintained. Mr. BISHOP again offered an amendment to provide an offset for lost timberlands, but it was rejected by the Democrats on the Rules Committee.

In fact, the rule we have before us today is a closed rule, as I said earlier. No amendments were allowed by Democrats in charge of the Rules Com-

mittee. By choosing to operate in this way, the majority has again cut off the minority and their own colleagues from having appropriate input in the legislative process.

By choosing to stifle debate, the Democrats in charge have denied their colleagues on both sides of the aisle the ability to do the job they have been elected to do: offer ideas that represent and serve their constituents. They are denying Members the ability to offer improvements to this legislation, and this is an injustice to their colleagues on both sides of the aisle.

Our colleagues across the aisle are limiting what ideas can be debated on the floor and which constituents can be adequately represented in the House. Our constituents in both Republican and Democrat districts are struggling to make ends meet, are facing unemployment, and yet are simultaneously being cut out of participating in a debate over how their hard-earned taxpayer dollars are being spent by the Federal Government.

Why is the majority blocking debate on such important legislation? Are they afraid of debate? Are they protecting their Members from tough votes? Are they afraid of the democratic process?

Mr. Speaker, it's troubling to me we're debating this legislation today when my constituents and all Americans are confronted with dire economic hardships that remain unaddressed. Families all over the country are struggling to find jobs to provide for their children and keep food on their tables. Yet while Rome burns, this Congress is wasting the day talking about whether or not a river should be designated as "wild and scenic" and trying to pass a policy that will do even more harm to the economy.

We cannot afford to lose more jobs. The U.S. national debt is currently \$12 trillion. With over 300 billion people in the United States today, each citizen's share of this debt right now is \$38,800. The national debt has continued to increase at an average of \$3.88 billion per day since September 28, 2007.

We can no longer blame the deficit and the economic difficulties today on the previous administration. As I said earlier, the Congress and the administration are now controlled by Democrats. They continue to borrow money, and it's being spent by Speaker PELOSI and the Obama administration; and as a result, the unemployment rate continues to rise and the deficit continues to rise.

Since the Democrats took control of Congress on January 4, 2007, the national debt has increased by \$3.282 trillion. Since President Obama was inaugurated just 10 months ago in January, the national debt has increased by \$1.325 trillion. Almost 1 year after President Obama was elected and 3 years since the Democrats took majorities in Congress, the Department of Treasury has reported that under the Democrats' control, 2009 was the worst

fiscal year in this Nation's history. The results get more disastrous with each passing day.

I have opposed all these efforts to raise the debt limit, and we're going to be facing that again very shortly. According to analysis by the Heritage Foundation, the White House projects \$10.6 trillion dollars in new deficits over the next decade. That is nearly \$80,000 per household in new borrowing. It's beyond time to stop digging. The new budget estimates, including an estimated total national debt of \$24.5 trillion in 2019 under President Obama's budget, are alarming and unsustainable. The result will be the highest level of spending and debt in American history.

Mr. Speaker, we need to be dealing with this. We need to be putting people back to work. We don't need to be increasing the debt with every passing day by passing bills that will do that and playing a shell game with the American people.

One of the best things that's happened this year is that the American people are paying much closer attention to what is going on in the Congress. They've learned they can read the bills if the bills are ever put out for them to read. They spoke in New Jersey, they spoke in Virginia in the election earlier this year, and our colleagues on the other side of the aisle need to start paying attention, as we have been paying attention all year long.

Mr. Speaker, I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, I would like to respond to the gentlewoman's statement where she talked at great length about the fact that the House is being closed down, that the debate is being stifled. And I would like to remind the House of an earlier statement that I made that there were only two amendments submitted to the Rules Committee on H.R. 2781.

One of the amendments was nothing more than a change of the title which consisted of political talking points, added zero substance to the bill. The other amendment was both non-germane and a violation of the PAYGO requirements of this House, two of the most important rules that are part of the conducting of debates in this House.

So the gentlewoman is advocating that we break the House rules and agree to an amendment that is really de minimis to the grander aspect of what we're trying to do here.

□ 1115

The local community has asked for this designation, the local Congressman. In fact, you've heard today that three Members of Congress from Oregon all advocate for this bill. I'm sure there are more. The reality is that the local folks have determined that this is the best way to create economic development, and the 420 acres that are being so grandly discussed by the other

side as reason to oppose this bill, that are going to cause economic devastation for both this area and the country—well, the local folks don't believe it, and neither does anybody else.

This is a good bill, Mr. Speaker.

I'd like to now yield 5 minutes to my colleague from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, the gentlelady's concerned about two things, the deficit and jobs. I share those concerns. But again, we have a little problem with consistency. When she was offered an opportunity, just in September, to extend the national surface transportation investment, fully paid for through user fees, gas tax and other fees, fully paid for, a program that creates millions of jobs, construction jobs, she voted "no." She voted to end all funding for investment in our national transportation infrastructure, an extraordinary vote, unbelievable for someone who cares about jobs and cares about the deficit, because it was paid for and it creates millions of jobs.

And on October 1 that program was going down, and tens of thousands of people across the United States of America would have been unemployed, private sector people, construction workers who are already hard-hit in this recession. If the Republicans and she had their way, that program would have ended on October 1.

Now, it's pretty hard to justify that vote. I don't quite understand it. But she also has the same consistency problem as the gentleman from Utah; that is, when there was an opportunity to help those school districts, those local communities fund critical public safety, sheriffs and jail beds, she voted "no" along with a large majority of Republicans against my legislation last May.

Now, there's this suddenly newfound interest in a community that doesn't want her interest. They want self-determination. They support this legislation. The elected Representative supports this legislation. But, no, the Republicans from elsewhere around the country, they know better than the people of Oregon. They know better what would help the people of Oregon.

Except, again, back to the Bush administration and the Republicans running Congress, when the Bush administration had an opportunity to continue payments to those counties, or change the forest policy, they did neither. They didn't change the Clinton forest plan, which I opposed, which has devastated communities. And they allowed the legislation signed by President Bill Clinton to give assistance to those counties impacted by his forest policies assistance—they allowed that to expire, too, when they were in charge. And the gentlelady said nothing at that time. She didn't help support us in that effort. She didn't support that. She didn't support it last year when I offered it.

So let's not have a false debate here about what's better for the people of Oregon, coming from even a near

neighbor in Washington State, or from the gentleman in Utah, or a woman from back East. Let's respect the local will of the people.

When DON YOUNG chaired the Resources Committee, we kind of had a rule. We didn't mess around in each other's districts. I kind of liked that rule. We're messing around in someone else's district here. We're messing around with the local will. And let's not have newfound sympathy for my constituents who've been hit so hard when you didn't lift a finger to help them when you ran everything.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DEFAZIO. I will yield.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding. Let me just reiterate his last point. I agree with that. In fact, I made that observation when we were in committee on this. I just have a problem with wild and scenic designations that I've pointed out.

But I just wanted to correct a little bit because you and I worked very hard on the rural school issue. I was on the Rules Committee at that time, and I know my friend from California heard me over and over on that. Let's just go back in history. It was a Forest Policy Act that caused that to happen. It was a Republican Congress that put the rural school program in place. So, you know, finger-pointing is not going to get us anywhere.

I know that when you took over, the Senate, for example, had passed the rural school bill, something like 92-3. I forget the exact figure, but it was overwhelming, and it was never taken up by your House leadership. Now, it eventually got done, but it does have a date, and we're going to have to come back and revisit it. The point of all of this debate is that the end result, this is only a very small acreage, but we are going to forever take it out of potential logging. That is what the issue is.

And so I appreciate the gentleman yielding. I just wanted to clarify that particular point because he and I did work on that rural school problem along with our colleague from Oregon (Mr. WALDEN). He is very much involved with that.

So I appreciate the gentleman yielding. We will have more discussion on this issue when, if, this rule passed. I certainly hope it doesn't pass because then we can, you know, go and do the right thing. But, at any rate, I appreciate the gentleman yielding.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CARDOZA. I yield the gentleman from Oregon 1 additional minute.

Mr. DEFAZIO. The gentleman is correct, and he did work hard to help with the renewal of the county schools, and my colleague from Oregon, GREG WALDEN, was a partner in that effort. But the fact is that, you know, when you controlled everything, it died. The program died. And we were so desperate that at the end of the Congress GREG

and I came and sat here on the floor till 2 o'clock in the morning, so at the end of that Congress we could offer a unanimous consent request to move that program forward and fund it, and the objection came from your side of the aisle again.

So, unfortunately, you know, there are some hard facts here. You are right. The original legislation was passed when the Republicans controlled the House. Bill Clinton was President. We had a bipartisan agreement to help the counties, but when there was a later opportunity, nothing happened.

Ms. FOXX. Mr. Speaker, you said I had 3 minutes. There's so much to say in so little time.

I do want to point out—and it's in the RECORD, it's easy for people to check out—that the Democrat-controlled Rules Committee in the 1960s defeated bringing up civil rights legislation until the Speaker of the House increased the membership on the Rules Committee, so that the increased Democrats could vote with the Republicans to bring the civil rights legislation to the floor.

Mr. Speaker, I urge my colleagues to defeat the previous question so an amendment can be added to the rule. The amendment to the rule would provide for separate consideration of H. Res. 554, a resolution to require that legislation and conference reports be posted on the Internet for 72 hours prior to consideration by the House. It does not affect the bill made in order by the rule. The amendment to the rule provides that the House will debate the issue of reading the bill within three legislative days. It does not disrupt the schedule.

This is not a partisan issue, Mr. Speaker. As Members of Congress, we ought to agree that, regardless of the legislation brought before us, we should always have the opportunity to read and understand the legislation before we vote. The American public agrees with this commonsense position. A recent survey by Rasmussen Reports found that 83 percent of Americans say legislation should be posted online and available for everyone to read before Congress votes on it. The poll also found that this is not a partisan issue; 85 percent of Republicans, 76 percent of Democrats, and 92 percent of unaffiliated voters, favor posting legislation online prior to it being voted on.

Mr. Speaker, we're elected to Congress to represent our constituents. How are we supposed to determine what's right for our fellow Americans if we have to vote on something before we even have time to read it?

I urge my colleagues to defeat the previous question so we can have this debate and do the right thing for the American people.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Ms. FOXX. I urge my colleagues to vote "no" on the previous question and the rule, and I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, we've heard quite a debate today. The debate was about designating a wild and scenic river in Oregon. But it has gone far, far afield from there. We've heard about the deficit. We've heard about jobs. We've heard about the Civil Rights Act and who was responsible for passing the legislation that did that historic. We've heard quite a lot that doesn't have anything to do with the reason we are here today, and that, Mr. Speaker, is designating the Molalla River as part of the Wild and Scenic Rivers System, which will help ensure that social, cultural, and economic benefits of the area will be preserved.

For several years, an alliance of over 45 organizations has been dedicated to river restoration efforts and protecting the area from destructive acts. And the local community around the Molalla has asked for this designation. It is now up to Congress to act on behalf of the citizens and the communities at hand to preserve the river's historic, scenic, and recreational values; to protect the river's water quality and its free-flowing character; and ensure that Americans and Oregonians can enjoy the original character of this river for generations to come.

Mr. Speaker, I think it's a good bill. The bill deserves strong support of my colleagues on both sides of the aisle, and I ask for that support. Mr. Speaker, I urge a "yes" vote on the rule and on the previous question.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT TO H. RES. 908 OFFERED BY MS. FOX OF NORTH CAROLINA

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally

divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from *Congressional Quarterly's* "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. CARDOZA. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 921

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. Owens (to rank immediately after Mr. Murphy of New York).

(2) COMMITTEE ON HOMELAND SECURITY.—Mr. Owens (to rank immediately after Mr. Luján).

(3) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Mr. Garamendi (to rank immediately after Mr. Griffith).

(4) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Garamendi.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on H. Res. 908; adopting House Resolution 908, if ordered; and suspending the rules on S. 1599.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be considered as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 2781, MOLALLA RIVER WILD AND SCENIC RIVERS ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House

Resolution 908, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 241, nays 176, not voting 17, as follows:

[Roll No. 902]

YEAS—241

Ackerman	Gutierrez	Obey
Adler (NJ)	Hall (NY)	Olver
Altmire	Halvorson	Ortiz
Andrews	Hare	Owens
Arcuri	Harman	Pallone
Baca	Hastings (FL)	Pascarell
Baldwin	Heinrich	Pastor (AZ)
Barrow	Herseth Sandlin	Payne
Bean	Higgins	Perlmutter
Becerra	Hill	Perriello
Berkley	Himes	Peters
Berman	Hinchey	Peterson
Berry	Hinojosa	Pingree (ME)
Bishop (GA)	Hirono	Polis (CO)
Bishop (NY)	Hodes	Pomeroy
Blumenauer	Holden	Price (NC)
Boccheri	Holt	Quigley
Boren	Honda	Rahall
Boswell	Hoyer	Rangel
Boucher	Inslee	Reyes
Boyd	Israel	Richardson
Brady (PA)	Jackson (IL)	Rodriguez
Braley (IA)	Jackson-Lee	Ross
Bright	(TX)	Rothman (NJ)
Brown, Corrine	Johnson (GA)	Roybal-Allard
Butterfield	Johnson, E. B.	Ruppersberger
Capps	Kagen	Rush
Cardoza	Kanjorski	Ryan (OH)
Carnahan	Kaptur	Salazar
Carney	Kennedy	Sanchez, Linda
Carson (IN)	Kildee	T.
Castor (FL)	Kilpatrick (MI)	Sanchez, Loretta
Chandler	Kilroy	Sarbanes
Chu	Kind	Schakowsky
Clay	Kirkpatrick (AZ)	Schauer
Cleaver	Kissell	Schiff
Clyburn	Klein (FL)	Schrader
Cohen	Kosmas	Schwartz
Connolly (VA)	Kratovil	Scott (GA)
Conyers	Kucinich	Scott (VA)
Cooper	Langevin	Serrano
Costa	Larsen (WA)	Sestak
Costello	Larson (CT)	Shea-Porter
Courtney	Lee (CA)	Sherman
Crowley	Levin	Shuler
Cuellar	Lipinski	Sires
Cummings	Loebach	Slaughter
Dahlkemper	Lofgren, Zoe	Smith (WA)
Davis (AL)	Lowe	Snyder
Davis (CA)	Lujan	Space
Davis (IL)	Lynch	Speier
Davis (TN)	Maffei	Spratt
DeFazio	Maloney	Stark
DeGette	Markey (CO)	Stupak
Delahunt	Markey (MA)	Sutton
DeLauro	Marshall	Tanner
Dicks	Massa	Teague
Dingell	Matheson	Thompson (CA)
Doggett	Matsui	Thompson (MS)
Doyle	McCarthy (NY)	Tierney
Driehaus	McCollum	Titus
Edwards (MD)	McGovern	Tonko
Edwards (TX)	McIntyre	Towns
Ellison	McMahon	Tsongas
Ellsworth	McNerney	Van Hollen
Eshoo	Meek (FL)	Velazquez
Etheridge	Meeks (NY)	Visclosky
Farr	Melancon	Walz
Fattah	Michaud	Wasserman
Filner	Miller (NC)	Schultz
Foster	Mitchell	Waters
Frank (MA)	Mollohan	Watson
Fudge	Moore (KS)	Watt
Garamendi	Moore (WI)	Waxman
Giffords	Murphy (CT)	Weiner
Gonzalez	Murphy (NY)	Welch
Gordon (TN)	Murphy, Patrick	Wexler
Grayson	Murtha	Wilson (OH)
Green, Al	Napolitano	Woolsey
Green, Gene	Neal (MA)	Wu
Griffith	Nye	Yarmuth
Grijalva	Oberstar	

NAYS—176

Aderholt	Frelinghuysen	Myrick
Akin	Gallegly	Neugebauer
Alexander	Garrett (NJ)	Nunes
Austria	Gerlach	Olson
Bachmann	Gingrey (GA)	Paul
Bachus	Goodlatte	Paulsen
Baird	Granger	Pence
Barrett (SC)	Graves	Petri
Bartlett	Guthrie	Pitts
Barton (TX)	Hall (TX)	Platts
Biggart	Harper	Poe (TX)
Bilbray	Hastings (WA)	Posey
Bilirakis	Heller	Price (GA)
Bishop (UT)	Hensarling	Putnam
Blackburn	Herger	Radanovich
Blunt	Hoekstra	Rehberg
Boehner	Hunter	Reichert
Bonner	Inglis	Roe (TN)
Bono Mack	Issa	Rogers (AL)
Boozman	Jenkins	Rogers (KY)
Brady (TX)	Johnson (IL)	Rogers (MI)
Broun (GA)	Johnson, Sam	Rohrabacher
Brown-Waite,	Jones	Rooney
Ginny	Jordan (OH)	Ros-Lehtinen
Buchanan	King (IA)	Roskam
Burton (IN)	King (NY)	Royce
Buyer	Kingston	Ryan (WI)
Peters	Kirk	Scalise
Calvert	Kline (MN)	Schmidt
Campbell	Lamborn	Schock
Cantor	Lance	Sensenbrenner
Cao	Latham	Sessions
Capito	LaTourette	Shadegg
Cassidy	Latta	Shimkus
Castle	Lee (NY)	Shuster
Chaffetz	Lewis (CA)	Simpson
Childers	Linder	Smith (NE)
Coble	LoBiondo	Smith (NJ)
Coffman (CO)	Lucas	Smith (TX)
Cole	Luetkemeyer	Souder
Conaway	Lummis	Stearns
Crenshaw	Lungren, Daniel	Sullivan
Culberson	E.	Taylor
Davis (KY)	Mack	Terry
Deal (GA)	Manzullo	Thompson (PA)
Dent	Marchant	Thornberry
Diaz-Balart, L.	McCarthy (CA)	Tiahrt
Diaz-Balart, M.	McClintock	Tiberi
Donnelly (IN)	McCotter	Turner
Dreier	McHenry	Upton
Duncan	McKeon	Walden
Ehlers	McMorris	Wamp
Emerson	Rodgers	Westmoreland
Fallin	Mica	Whitfield
Flake	Miller (FL)	Wilson (SC)
Fleming	Miller (MI)	Wittman
Forbes	Miller, Gary	Wolf
Fortenberry	Minnick	Young (AK)
Fox	Moran (KS)	Young (FL)
Franks (AZ)	Murphy, Tim	

NOT VOTING—17

Abercrombie	Clarke	Miller, George
Boustany	Engel	Moran (VA)
Brown (SC)	Gohmert	Nadler (NY)
Burgess	Lewis (GA)	Skelton
Capuano	McCauley	Wu
Carter	McDermott	

□ 1153

Messrs. BAIRD and HALL of Texas changed their vote from “yea” to “nay.”

Mr. THOMPSON of California changed his vote from “nay” to “yea.” So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. FOXX. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 176, not voting 14, as follows:

[Roll No. 903]

AYES—244

Ackerman	Green, Gene	Oberstar
Adler (NJ)	Griffith	Obey
Altmire	Grijalva	Olver
Andrews	Hall (NY)	Ortiz
Arcuri	Halvorson	Owens
Baca	Hare	Pallone
Baldwin	Harman	Pascarell
Barrow	Hastings (FL)	Pastor (AZ)
Bean	Heinrich	Payne
Becerra	Herseth Sandlin	Perlmutter
Berkley	Higgins	Perriello
Berman	Hill	Peters
Berry	Himes	Peterson
Bishop (GA)	Hinchey	Pingree (ME)
Bishop (NY)	Hinojosa	Polis (CO)
Blumenauer	Hirono	Pomeroy
Boccheri	Hodes	Price (NC)
Boren	Holden	Quigley
Boswell	Holt	Rahall
Boucher	Honda	Rangel
Boyd	Hoyer	Reyes
Brady (PA)	Inslee	Richardson
Braley (IA)	Israel	Rodriguez
Bright	Jackson (IL)	Ross
Brown, Corrine	Jackson-Lee	Rothman (NJ)
Butterfield	(TX)	Roybal-Allard
Capps	Johnson (GA)	Ruppersberger
Cardoza	Johnson, E. B.	Rush
Carnahan	Kagen	Ryan (OH)
Carney	Kanjorski	Salazar
Carson (IN)	Kaptur	Sanchez, Linda
Castor (FL)	Kildee	T.
Chandler	Kilpatrick (MI)	Sanchez, Loretta
Chu	Kilroy	Sarbanes
Clay	Kind	Schakowsky
Cleaver	Kirkpatrick (AZ)	Schauer
Clyburn	Kissell	Schiff
Cohen	Klein (FL)	Schrader
Connolly (VA)	Kosmas	Schwartz
Conyers	Kratovil	Scott (GA)
Cooper	Kucinich	Scott (VA)
Costa	Langevin	Serrano
Costello	Larsen (WA)	Sestak
Courtney	Larson (CT)	Shea-Porter
Crowley	Lee (CA)	Sherman
Cuellar	Levin	Shuler
Cummings	Lipinski	Sires
Dahlkemper	Loebach	Slaughter
Davis (AL)	Lofgren, Zoe	Smith (WA)
Davis (CA)	Lowe	Snyder
Davis (IL)	Lujan	Space
Davis (TN)	Lynch	Speier
DeFazio	Maffei	Spratt
DeGette	Maloney	Stark
Delahunt	Markey (CO)	Stupak
DeLauro	Markey (MA)	Sutton
Dicks	Marshall	Tanner
Dingell	Massa	Teague
Doggett	Matheson	Thompson (CA)
Doyle	Matsui	Thompson (MS)
Driehaus	McCarthy (NY)	Tierney
Edwards (MD)	McCollum	Titus
Edwards (TX)	McGovern	Tonko
Ellison	McIntyre	Towns
Ellsworth	McMahon	Tsongas
Eshoo	McNerney	Van Hollen
Etheridge	Meek (FL)	Velazquez
Farr	Meeks (NY)	Visclosky
Fattah	Melancon	Walz
Filner	Michaud	Wasserman
Foster	Miller (NC)	Schultz
Frank (MA)	Mitchell	Waters
Fudge	Mollohan	Watson
Garamendi	Moore (KS)	Watt
Giffords	Moore (WI)	Waxman
Gonzalez	Murphy (CT)	Weiner
Gordon (TN)	Murphy (NY)	Welch
Grayson	Murphy, Patrick	Wexler
Green, Al	Murtha	Wilson (OH)
Green, Gene	Napolitano	Woolsey
Griffith	Neal (MA)	Wu
Grijalva	Nye	Yarmuth

NOES—176

Aderholt	Bilirakis	Brown-Waite,
Akin	Bishop (UT)	Ginny
Alexander	Blackburn	Buchanan
Austria	Blunt	Burgess
Bachmann	Boehner	Burton (IN)
Bachus	Bonner	Buyer
Barrett (SC)	Bono Mack	Calvert
Bartlett	Boozman	Campbell
Barton (TX)	Brady (TX)	Cantor
Biggart	Broun (GA)	Cao
Bilbray		Capito

Cassidy Jones
Chaffetz Jordan (OH)
Childers King (IA)
Coble King (NY)
Coffman (CO) Kingston
Cole Kirk
Conaway Kline (MN)
Crenshaw Lamborn
Culberson Lance
Davis (KY) Latham
Deal (GA) LaTourette
Dent Latta
Diaz-Balart, L. Lee (NY)
Diaz-Balart, M. Lewis (CA)
Donnelly (IN) Linder
Dreier LoBiondo
Duncan Lucas
Ehlers Luetkemeyer
Emerson Lummis
Fallin Lungren, Daniel
Flake E.
Fleming Mack
Forbes Manzullo
Fortenberry Marchant
Foxy McCarthy (CA)
Franks (AZ) McClintock
Frelinghuysen McCotter
Gallegly McHenry
Garrett (NJ) McKeon
Gerlach McMorris
Gingrey (GA) Rodgers
Gohmert Mica
Goodlatte Miller (FL)
Granger Miller (MI)
Graves Miller, Gary
Guthrie Minnick
Hall (TX) Moran (KS)
Harper Murphy, Tim
Hastings (WA) Myrick
Heller Neugebauer
Hensarling Nunes
Herger Olson
Hoekstra Paul
Hunter Paulsen
Inglis Pence
Issa Petri
Jenkins Pitts
Johnson (IL) Platts
Johnson, Sam Poe (TX)

NOT VOTING—14

Abercrombie Carter McDermott
Boustany Gutierrez Miller, George
Brown (SC) Kennedy Moran (VA)
Camp Lewis (GA) Watt
Capuano McCaul

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1201

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESERVE OFFICERS ASSOCIATION
MODERNIZATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, S. 1599, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill, S. 1599.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 9, as follows:

[Roll No. 904]

YEAS—425

Ackerman Davis (IL)
Aderholt Davis (KY)
Adler (NJ) Davis (TN)
Akin Deal (GA)
Alexander DeFazio
Altmire DeGette
Andrews Delahunt
Arcuri DeLauro
Austria Dent
Baca Diaz-Balart, L.
Bachmann Diaz-Balart, M.
Bachus Dicks
Baird Dingell
Baldwin Doggett
Barrett (SC) Donnelly (IN)
Barrow Doyle
Bartlett Dreier
Barton (TX) Driehaus
Bean Duncan
Becerra Edwards (MD)
Berkley Edwards (TX)
Berman Ehlers
Berry Ellison
Biggert Ellsworth
Bibray Emerson
Bilirakis Engel
Bishop (GA) Eshoo
Bishop (NY) Etheridge
Bishop (UT) Fallin
Blackburn Farr
Blumenauer Fattah
Blunt Filner
Boccheri Flake
Boehner Fleming
Bonner Forbes
Bono Mack Fortenberry
Boozman Foster
Boren Foxx
Boswell Frank (MA)
Boucher Franks (AZ)
Boustany Frelinghuysen
Boyd Fudge
Brady (PA) Gallegly
Brady (TX) Garamendi
Braley (IA) Garrett (NJ)
Bright Gerlach
Broun (GA) Giffords
Brown, Corrine Gingrey (GA)
Brown-Waite, Gohmert
Ginny Gonzalez
Buchanan Goodlatte
Burgess Gordon (TN)
Burton (IN) Granger
Butterfield Graves
Buyer Grayson
Calvert Green, Al
Camp Green, Gene
Campbell Griffith
Cantor Grijalva
Cao Guthrie
Capito Gutierrez
Capps Hall (NY)
Cardoza Hall (TX)
Carnahan Halvorson
Carney Hare
Carson (IN) Harman
Cassidy Harper
Castle Hastings (FL)
Castor (FL) Hastings (WA)
Chandler Heinrich
Childers Heller
Chu Hensarling
Clarke Herger
Clay Herseth Sandlin
Cleave Higgins
Clyburn Hill
Coble Himes
Coffman (CO) Hinchey
Cohen Hinojosa
Cole Hirono
Conaway Hodes
Connolly (VA) Hoekstra
Conyers Holden
Cooper Holt
Costa Honda
Costello Hoyer
Courtney Hunter
Crenshaw Inglis
Crowley Inslee
Culler Israel
Culberson Issa
Cummings Jackson (IL)
Dahlkemper Jackson-Lee
Davis (AL) (TX)
Davis (CA) Jenkins
Johnson (GA)

Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher

Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt

Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Abercrombie Carter Moran (VA)
Brown (SC) McCaul Smith (TX)
Capuano Miller, George Wilson (OH)

□ 1209

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOLALLA RIVER WILD AND
SCENIC RIVERS ACT

Mr. GRIJALVA. Mr. Speaker, pursuant to House Resolution 908, I call up the bill (H.R. 2781) to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HOLDEN). Pursuant to House Resolution 908, the amendment in the nature of a substitute recommended by the Committee on Natural Resources printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2781

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“() MOLALLA RIVER, OREGON.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

“(A) MOLALLA RIVER.—The approximately 15.1 miles from the southern boundary line of section 19, Township 7 south, Range 4 east downstream to the edge of the Bureau of Land Management boundary in section 7, Township 6 south, Range 3 east.

“(B) TABLE ROCK FORK MOLALLA RIVER.—The approximately 6.2 miles from the easternmost Bureau of Land Management boundary line in the northeast quarter of section 4, Township 7 south, Range 4 east downstream to the confluence with the Molalla River.”.

The SPEAKER pro tempore. The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2781.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GRIJALVA. Mr. Speaker, I rise in strong support of H.R. 2781, introduced by our friend and colleague, a new Member of this House, Representative KURT SCHRADER of Oregon. H.R. 2781 would add just over 21 miles of the Molalla River in northwestern Oregon to the Wild and Scenic Rivers System. This beautiful mountain river rises in the Cascade Range east of Salem. It flows through old-growth forests and deep-rock canyons until it meets the Willamette River near the town of Canby, Oregon.

More than 20,000 people in the towns of Canby and Molalla draw drinking water from the river. The Molalla is a short drive from Portland and is a popular destination for thousands of people who recreate along the river every year. Steelhead, salmon, and cutthroat trout rely on the river for crucial spawning and nursery habitat.

The river corridor served as a trail for indigenous tribes long before European settlers reached its banks, and early pioneers found the river a vital source of drinking water for homesteading, as well as an important trade route.

In more recent times, however, the river was the victim of neglect, with illegal dumping and other activities degrading the water quality. This degradation prompted creation of a broad-based coalition of more than 45 non-profit, civic and conservation groups; local, regional, State, and Federal agencies; numerous waters users; and property owners dedicated to protecting and preserving the Molalla River.

The alliance is a leading supporter of Representative SCHRADER's bill, as well as the city of Molalla and Clackamas County. They believe the designation will help keep the Molalla clean and free-flowing, while attracting more visitors to the river corridor. More visitors, more fishermen, more kayakers, more campers, and more hikers mean more meals at local restaurants, more stays at local hotels, more customers for outfitters and guides, and more economic development for the local communities.

Mr. Speaker, the bill before us today designates two segments of the Molalla River: 15.1 miles on the main stem and 6.2 miles on the Table Rock Floor. These designations are consistent with recommendations from the Bureau of Land Management, and the administration supports this legislation.

When Representative SCHRADER testified before the Natural Resources Committee on this bill, he asked the committee to consider whether this “wild and scenic” designation would have any impact on roughly 400 acres of timberland included in the corridor. As my colleagues are well aware, this is a significant issue in Oregon because the revenue generated by harvesting Federal timber is used to fund public education in the State.

Since the hearing, both Representative SCHRADER and the committee have clarified two important points: the Wild and Scenic Rivers Act does not prohibit logging, and there are no logging contracts in place or planned for the river corridor anyway. We were pleased to be able to resolve the concerns of the bill's sponsor.

□ 1215

Mr. Speaker, Congress created the Wild and Scenic Rivers System in 1968 to preserve rivers with outstanding natural, cultural and recreational values in their free-flowing state. The Molalla is a worthy addition to that system. I commend Congressman SCHRADER for his hard work in crafting the bill and helping the committee prepare the bill for consideration by the House today.

I urge my colleagues to support H.R. 2781.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I reluctantly rise to oppose this legislation, and I do so with a degree of conflicting views. Let me explain. On the one hand, I have fundamental concern with the impacts that wild and scenic river designations can have on surrounding property owners, river users, either upstream or downstream, and the restrictions that such designations can have on private citizens. Most importantly, such designations preclude the ability to make fu-

ture decisions without—I say, Mr. Speaker—without an act of Congress. There are many ways to protect and manage our rivers without imposing such absolute, permanent, and inflexible mandates that do not allow us to adapt to new circumstances, evolving environmental science, and changing public needs and views.

On the other hand, Mr. Speaker, I am sympathetic when a Member of the House proposes legislation that directly affects the district that he represents. I believe that we must be respectful of the views of those who are elected to represent a district, and this, Mr. Speaker, is a two-way street. It means affording a level of deference when a Member has a proposal that affects just his district, and it means an even stronger degree of respect and deference when a Member opposes an action that is proposed in the district he was elected to represent.

It is very troubling to me, Mr. Speaker, to see bills introduced and referred to the Natural Resources Committee, as an example, that would have extensive and often drastic negative impacts on the economic livelihoods of local communities, workers, and their families in the Western part of the United States, but that are authored and sponsored by Members from the east coast and the Nation's biggest cities.

Mr. Speaker, this lack of respect on these issues is very troubling to me. Therefore, while I generally do not support such inflexible and restrictive river designations, I do have respect for the fact that Mr. SCHRADER of Oregon is a sponsor of this bill, and it directly affects his district.

At the same time, I must agree with the position clearly stated by Mr. SCHRADER during his testimony at the subcommittee hearing on this bill. At that hearing, Mr. SCHRADER said that he was sensitive to the fact that this river designation would impact over 400 acres of timber matrix lands. When timber is responsibly and sustainably harvested on these matrix lands, funds that come from these harvestings are provided directly to the local schools and communities in that area. This is a way of partially compensating areas of the West that are home to high percentages of Federal land for Federal policies that limit economic development. These timber matrix lands are a commitment that's been made, and they're critical to the ability of hundreds of schools to properly educate their children and for the communities in these areas to provide essential services.

Mr. SCHRADER, to his credit, said he was sensitive to this harm that his bill would have on these lands and the schools and communities that depend on these lands. In his October 1 testimony, Mr. SCHRADER specifically stated, “I would ask the chairman and ranking member to work with me and my staff to ensure there will be no net loss of the acres available for timber management as a result of this legislation.”

Mr. Speaker, no such provision or protection or offset has been included in this bill despite the honest recognition and explicit request from Mr. SCHRADER that action needed to be taken to protect the lands important to the schools and communities in his district. Several efforts to amend the bill to simply provide that the lands be identified elsewhere to replace the 400-plus acres locked up under this river designation bill have been blocked.

The first blockage was in the Natural Resources Committee markup. On Tuesday, it was blocked by a Democrat majority on the Rules Committee. So it's been blocked two times. The need to address the loss of these timber matrix lands and the schools that depend on such lands was clearly identified and then ignored.

Now, Mr. Speaker, we learned on Tuesday, the day before yesterday, that 7 days earlier, on November 10, Mr. SCHRADER had sent a letter to the Natural Resources Committee chairman that appears to shift away from his subcommittee testimony that clearly asked for help in ensuring that the loss of timber lands be addressed in this legislation. This letter states, "I am satisfied that this designation will not remove trees from the timber stock: there are no timber contracts in that area, and no timber sales are planned."

Mr. SCHRADER's letter further states that on the question of offsetting logging acreage, which he alluded to in his statement before the subcommittee, he says, "I see no need to add such language to H.R. 2781 at this time." This letter of November 10 appears to directly contradict the gentleman from Oregon's public testimony on October 1.

Was the statement made in his testimony a mistake made in understanding the bill that he authored? Or is the position taken in his letter a reversal of his request for help on fixing the timber matrix land issue? When he states that language is not needed at this time, does he mean that his view on the need for offsetting the acreage may change in the future?

Mr. SCHRADER later implies that there is no reason to offset these lands because no current timber contract exists, nor are there logging plans at the current time. So this begs the question, Mr. Speaker: is the concern for school funding only today and not what will happen tomorrow or in the future?

Of course there are no logging jobs at this moment. It is well-known throughout the Northwest that timber harvest is at a standstill due to the struggling economy and the sharp drop in housing starts. In fact, just yesterday the Natural Resources Committee approved a bill to allow for existing Federal logging contracts to be extended due to the poor economic conditions. I think that's a good idea.

So yesterday, just to put this into perspective, the bad timber market is

used to push legislation to ensure existing contracts can be carried forward, but today the bad market is used as an excuse for legislation that will lock up hundreds of acres, not just until the market turns around but forever.

Mr. Speaker, these are not insignificant questions, and I think that there needs to be some clarification of that. So I hope very much that we have an opportunity to resolve this apparent discrepancy as this debate continues.

Again and again, this Congress acts to remove more and more land from the West from active, sustainable timber management. It is our schoolchildren that are paying the highest price, as school budgets are squeezed even tighter due to the actions of the Federal budget. You can't advocate for these schools and for wiser timber and forest management to ensure jobs in towns across the Northwest while at the same time advancing legislation that makes the problem permanently worse, and that's exactly what this bill does.

Some may say, well, it's only 400 acres. Yet if that was such a small amount, then why the resistance to offsetting these lands? The offset ought to be easy if this issue is just a small acreage. The fact of the matter is that this 400 acres comes on top of thousands and thousands of acres that have been locked up in recent years. Excusing these 400 acres today feeds the notion that tomorrow or next week perhaps we can excuse taking another 6,000 acres away from helping schools and rural communities.

I believe that Congress must take responsibility for its actions and the impact that it's having. It's time to demand that schoolchildren in small towns don't pay the price for the unwillingness of those in Congress to provide offsets for their actions. So it's for these reasons, Mr. Speaker—again, with deference to the gentleman who sponsored this bill, affecting only his district—that I must oppose this bill.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I will yield as much time as he may consume to the sponsor of the legislation, Congressman SCHRADER, who did a magnificent job and had a collaborative effort with communities and agencies in bringing this legislation forward.

Mr. SCHRADER. I appreciate the opportunity to testify on this bill. It is really tremendously exciting to the good citizens of Molalla and Clackamas County, Oregon, that we have this bill to vote on today. I'm sorry to have some of the discussion we've been hearing so far. It's basically irrelevant to the bill.

The idea here is to designate the Molalla River as a recreation river under the Wild and Scenic Rivers Act that was initiated by a small gathering of folks a few years ago, local river stewards and Molalla residents who were looking to preserve and protect their river and aid their local economy

by increasing tourism. They came to me earlier this year with the idea. Our team liked it, and we introduced the bill. It immediately garnered major support in Molalla and Clackamas County. And as of now, this bill is supported by the city of Molalla, the Clackamas County Board of Commissioners, the Oregon Department of Fish and Wildlife, and over 40 Oregon-based environmental, recreational, and public safety groups. All recognize the social, economic, and cultural benefits of this bill.

In particular, I want to personally thank the many people who worked so tirelessly on this bill. This includes the president of the Molalla River Alliance, Mike Moody; the mayor of Molalla, Mike Clarke; Molalla City Manager John Atkins; Police Chief Gerald Giger; the executive director of Molalla River Watch, Kay Patterson; the president of Molalla Community Planning Organization, Jim Gilbert; and, frankly, Oregon river enthusiasts like Kavita Heyn and Erik Fernandez.

I also want to personally acknowledge Ryan Morgan, a lifelong Molalla resident and member of the Molalla City Council who tragically died earlier this year. Ryan was a river enthusiast and a strong supporter of this legislation. I would like to think he is looking down on us right now with pride over the vote and this particular piece of legislation that he worked so hard to get on the House floor.

Mr. Speaker, the Molalla River is a national treasure in my State. Historically, it serves as both the trail for indigenous Molalla Indians and as a trade route between pioneers in the Willamette Valley and residents of eastern Oregon. Its Table Rock Trail, which is also known as "Huckleberry Trail," was used by members of the Warm Springs tribe in search of huckleberry- and salmonberry-picking areas in the early days. Early settlers used its fertile lands and drinking water for homesteading, and its Ogle Mountain mine attracted migrants during the gold rush.

Today the Molalla River is known for its many recreational purposes, including hiking, diving, fishing, kayaking, white-water rafting, picnicking, mountain biking and horseback riding. It's also nationally recognized for its beautiful and scenic wildlife. It provides spawning beds for threatened steelhead trout and Chinook salmon and is an essential wildlife area for the pileated woodpecker, red tree vole, red-legged frog, northern spotted owl, Pacific giant salamander, and both golden and bald eagles.

Designating the Molalla River as recreational under the National Wild and Scenic Rivers System would have tremendous economic, cultural, and environmental benefits for the region. Economically, we need jobs. It would attract more tourism and create tons of new jobs in a very, very difficult environment in Molalla, something the State of Oregon desperately needs in

its rural communities. Environmentally, it will protect the character of the river, preserving it so future generations can recognize its rich cultural, historical, social, and economic benefits.

I want to thank Chairman RAHALL and Subcommittee Chair GRIJALVA for their support and efforts on this bill. I also want to thank their staff, and in particular Leslie Duncan, for all of their hard work.

A lot of focus has been around the comments the gentleman from Washington referenced that I made in committee. My goal there as a lifelong friend of the timber industry, particularly in my legislative arena, was to make sure that if there was impact on logging in this area, in my county, in my State so desperately in need of economic energy, that we'd investigate that. The committee—I appreciate the work they've done—and I and my office checked into whether or not these matrix lands were going to impact the timber harvest or any of the land in that area.

And I am pleased to report back, as has been reported, that the BLM has told us again and again that there are no timber sales in that area, and there have never been any timber sales planned in that area. So I guess I'm a little concerned that as I step up and try to make sure that the concerns of the gentleman from Washington are addressed, and we bring this topic up, which I hope we will bring up in any of the legislation that comes from his State and other States, that it seems like it's turned against one.

□ 1230

I don't feel in any way that I have changed my view on the need to make sure that if there is an issue, we have offsetting lands for harvest if it is going to affect local communities.

But no private landowner, I want to make this very clear, no private landowner in this area, including Weyerhaeuser, including some of the big timber companies and the small woodlot owners, is objecting to this bill. I go to the gentleman from Washington's earlier comments that if this is a bill brought forward by a Member who represents the State, and more particularly represents the local district in which this wild and scenic river designation is to be had, that generally he votes in favor of these things. So I ask him politely to consider changing his viewpoint and voting for the bill since such a Member has done the work that he asked to do in the first of all.

Mr. HASTINGS of Washington. Would the gentleman from Oregon yield?

Mr. SCHRADER. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank very much the gentleman yielding.

As I mentioned in my opening statement, I am very sensitive to Members of Congress who have projects or issues

within their districts to be able to do them. I just, as I mentioned in the committee and as I mentioned on the floor, I just have a general problem with the wild and scenic designation. It is on that principle that I rise to oppose this.

But I do want a clarification because I spent extensive time in my opening statement talking about your testimony in front of the subcommittee on this issue where you said very specifically that you recognized this as timber matrix land, and you wanted to work with the chairman and the ranking member, myself and Mr. RAHALL, so there would be no net loss, meaning you would be open to transfer of lands or whatever the case may be. We attempted to accommodate you with an amendment that we had that unfortunately was ruled nongermane, and so we didn't get a chance to address that. The second chance we had at that was in the Rules Committee where they can waive the rules, and they decided not to.

I would like to ask the question, it appears to me that now you have reversed your position because you have said that there is no potential timber harvest, and I would like you to clarify what you mean by that.

Mr. SCHRADER. I would like to reclaim my time.

I appreciate the gentleman from Washington's concern. As I said before, it is very explicit in my testimony and testimony from the chairman, and others who have spoken in favor of this bill, that we have investigated it. I am a full supporter of making sure that if there is a problem in the timber harvest or management area that is going to impact the economics of my community, that I will be there.

Right now, this bill is an economic driver for this community, sir. We actually have to make sure that this bill passes because the tourism that is going to happen in this bill is the big economic driver in this community. Right now we actually have serious drug issues in our State and, frankly, in this area where, if we have the opportunity to make sure that law enforcement has the ability to get special protection and maybe special opportunities, we can make sure that this area stays drug free. We can make sure that we actually have a better chance to make sure that this community is going to be economically advantaged. The men and women in my State and in my district are hurting, so I want to make sure we have economic opportunities.

Frankly, I would just like to say in my final comment, at this time this State faces tremendous economic hardship. We are one of the most heavily hit States in the Nation. We are an income tax State, and we are hurting. We are hurting bad in this economy.

I urge my colleagues to pass H.R. 2781. Aid the good people of Molalla and Clackamas County. They need your help. This will attract tourism to the

river, more business for river guides, anglers, more stops at the local restaurants, hotels, and shops that preserve the character of the river so future generations can enjoy its cultural, historic, and recreational benefits. I really urge my colleagues to support this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

I just wish the gentleman would have yielded to me because he did not acknowledge his change of view of his testimony where these matrix lands are potential revenue if in fact they are harvested. He just simply said there will be no harvesting. But by passing this bill, you will forever, you will forever, Mr. Speaker, take those 400 acres out of ever being harvested. So that begs the question, if there is no logging now, what about in the future if the market turns around and there is a higher demand, how do we go back and get these 400 acres or potentially 6,000 acres in the future? That is the question, and that is always the fundamental question on these issues.

Keep in mind, our national forest lands and our Federal lands were designed to be for multiple purpose, and that means commercial purposes. On timberland, that obviously means logging activity which benefits local communities.

And in this bill, I acknowledged in my opening statement, it is a small sector of land. Nevertheless, it is the principle. And the gentleman, unfortunately, did not respond to that particular issue. He just simply said the government when he said the bureau, but he didn't talk about the impact it would potentially have on local communities because of the lack of potential harvesting in the future.

I think a land transfer and trade would have been very easy to do, and that could have been accomplished if we had adopted the amendments that we offered in committee, and the amendment that was denied to be even debated on this floor, which seems to be a pattern, but that is another story. So these potential 400 acres will now be gone forever if this bill were ever to become law. The drip, drip, drip of acreage being taken away leads to other issues.

So while I respect the gentleman, and he talked very clearly about the potential benefits, I suspect that there will be a time in the future, if this bill were to become law, that there will be an ensuing lawsuit that will probably tie up some of the activity that he hopes to preserve for future tourism. Why do I say that? Because that has been a pattern, unfortunately, in many parts of the West.

I have always felt that Federal lands ought to be multiple use, and when you put restrictions on them, you put restrictions not only on commercial activity but on recreational activity. That is where this goes. But this issue here is very simple. The communities

that depend on the revenue coming from commercial activities on these lands are, under this bill, denied forever in the future from getting any revenue from those lands.

With that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, in reference to the drip, drip, drip, the current BLM management plan for this area was begun by the Bush administration. And what's more, the Wild and Scenic Rivers Act does not prohibit logging. It says it must be done carefully.

I yield to the gentleman from Illinois (Mr. QUIGLEY) for his comments, sir.

Mr. QUIGLEY. Mr. Speaker, I rise in support of the Molalla River Wild and Scenic Rivers Act. I came to Congress, like many others, to continue work on conservation efforts with similar-minded legislators from across the country.

But today, we have heard concerns that increased regulation would negatively affect industry and private landowners. This is simply not true.

On November 5, 2009, the Congressional Budget Office reported, "The affected segments, which total about 21 miles, are already protected for wilderness values, and the proposed designation would not significantly affect the way they are administered."

We protect these beautiful, powerful, and spiritual landmarks for our children so they may know the great lands of our lifetime. Indeed, our legacy is what we leave behind for our children's children. If we dare disrupt these natural treasures, we will forget why we have protected them in the first place.

I want to thank the sponsor for his efforts to move this legislation forward.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1 minute.

In response to my friend from Arizona, the subcommittee chairman, he said that logging, or commercial activity, could happen on these lands, specifically logging. But there is a proviso in there, as long as there is, and I will paraphrase, nondegradation of the existing area.

Now, Mr. Speaker, we have been around this business long enough to know that when there is a term like that and someone is opposed to some action or commercial activity, boom, you go to court right away, which means the costs go up, and, therefore, there are no contracts. And so you have de facto locked up these lands from any commercial activity. I think that is wrong.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the courtesy and the leadership of my friend from Arizona in permitting me to speak on this bill.

It is my honor to share the representation of Clackamas County, Oregon, with my friend and colleague, Con-

gressman SCHRADER. While I don't represent this particular area, it is an area that is known to me and one that I am pleased that he has been able to assemble a broad coalition at home to have meaningful legislation literally within a few months of his joining this body.

This is an area that should never be logged. That is one of the reasons he has been able to assemble a broad coalition of interests in our community to make sure that it is given the wild and scenic designation.

I have worked for years with the Clackamas County Commission, a group of men and women that is very sensitive to the dynamics of forest resources, agriculture, and industry. Clackamas County is a very diverse area that represents Oregon itself. I have worked with them on a number of wilderness provisions, and I will tell you that the agreement of the Clackamas County Commission does not come easily. They want to make sure that they know what they are getting into. They want to make sure that they are protecting the economic resource base. They are well aware that some of the revenues that come from our national forest lands find their way into local communities, particularly education. That is why it took us years to work on legislation that President Obama signed into law in his first weeks in office with the National Wilderness Act.

The homework has been done here. This is an area, as the chairman mentioned, as the sponsor mentioned, that is not affecting any, any, land that will be harvested now or, frankly, into the future. You ask the people in that community whether they would like to, at some point, risk this precious resource and they will tell you no.

This is an area, however, that is going to generate a great deal of economic activity. The gentleman from Canby referenced the proximity to the metropolitan area, that people who are kayakers, hikers, fishermen, other recreationalists already flock to this year-round. The designation and the protection of the Wild and Scenic Act is going to enhance that.

Now ours is a State, unlike my friend from the State of Washington, that has protected far more of their forest resources. Oregon doesn't protect that much. In fact, that is why we are working to provide a greater array of protections for recreation, for water resources. This is an important step.

I would like to express my appreciation to the sponsor for zeroing in on this early, for assembling an unprecedented coalition in Clackamas County of people who understand this is important today and in the future. I appreciate his being clear that his county would not be at risk economically, raising the question and working with the committee and the administration to make sure that that is dealt with. And anybody who has watched the career of this gentleman over a decade in

the State of Oregon knows that he is in tune with the district and their needs. He has a long record of working with the natural resource industries, most particularly the timber industry. Whether or not they happen to agree on any particular item, he has enjoyed the support and respect from the timber industry because he does his job right.

□ 1245

And the committee and the sponsor have done their job right with this piece of legislation. It's going to make a difference for the county that we both represent and the State of Oregon for generations to come.

I salute his leadership, and look forward to supporting it and hope that this is another signing ceremony that we can share at the White House.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if the gentleman would hang around, I will be more than happy to interact with him. He made a point I would like to elaborate on, and I will yield to him to follow up.

He said two things in his remarks. He said, I believe, that this is an area that should never be logged. Listen, I respect the fact that he has that position. He's very straightforward. I mean, I have no problem with that position. I may disagree with it, but I certainly have no problem with that position. But if that is the case and that is the argument and the fact is that this land is never going to be lost, then for goodness sake why didn't we take into consideration the fact that there are 400-plus acres that could have easily been transferred in a land transfer to someplace else to keep at least the economic viability in hand? That was not done. The gentleman from Oregon, the sponsor of this bill, asked for that. I was certainly willing to accommodate that, and we did that in our amendment.

Now, if the idea is that you're going to lock up these lands forever, at least that's being straightforward. But that certainly isn't how this has been talked about and debated here on the floor today.

Secondly, the gentleman from Oregon, again, the one from downtown Portland, made this observation: he said that Washington has more lands that are designated like this than Oregon, the implication meaning that maybe they want to catch up.

Let me offer maybe a little different twist on that because I stated, based on my experience in my State that when you have designations like this, you restrict the access to those areas. Now, hopefully that doesn't happen. Hope springs eternal. Every time we have this sort of activity in Washington State, this issue is brought up and don't worry, and then you look in the future and it happens. It happened with a particular part of my district, for example, that was designated a wilderness area 20-some years ago, and we're

having a dickens of a time just trying to get the road to that area opened. Why? Because of the restrictions.

So I will just tell my friends from Oregon that if they want to catch up with Washington, then you'd better watch out what you're trying to catch up to, because what you're catching up to is more restrictive activity.

Now, it's 10 minutes to 10 back in the Pacific time zone. I am sure there are a lot of interested folks that are affected by this. I hope that they would take that part into consideration, and I hope they would take that part into consideration that, yes, these lands could be potentially logged as long as there was no degradation. Look at that word "degradation" and connect the dots as to how that would end up in court if, in fact, there were a contract.

All of these things are real, Mr. Speaker, and so I just bring them up.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield such time as he may consume to my friend from Oregon (Mr. WALDEN).

Mr. WALDEN. I thank the gentleman, and I thank him for his leadership.

Mr. Speaker, I stand up today on this bill, and I actually intend to support it because I think I may differ with my colleague from Washington about some things. But the fundamental issue that I'm upset about is the notion that we can protect lands somehow by never doing anything again on them. And certainly there are areas and I've supported some of these new wilderness designations. I've tried to do it in a bipartisan way and tried to help. But doggone it, there are a whole bunch of other lands. The majority of lands in our State are Federal forested lands that are completely out of balance with nature, that cry out for good stewardship and balanced management. And I hope Washington never has to catch up to Oregon when it comes to unemployment.

You get out in parts of my district in eastern Oregon, and we are pushing 20 percent unemployment in county after county. And all too often the biggest economic activity that occurs in the summer is not the harvesting of dead trees; it's the making of lunches for firefighters as catastrophic wildfire takes over.

Now, my colleague from Oregon, Mr. SCHRADER, and I are working on legislation with others, Mr. HASTINGS and others, that will allow us to go out into the forest and treat these lands. It is a crying shame and I think absolutely erroneous to argue that the only way you protect is to lock up and ignore.

This Congress, under Democrat leadership and with the good chairman who took the gavel I used to have when I chaired the Forestry Subcommittee, I hope will actually give us a hearing on our legislation after it's introduced and will actually give it due consideration, as in give us a hearing, give us a mark-up, let us put it into law.

Let's take the Healthy Forests Restoration Act that passed in an over-

whelming bipartisan manner by both Houses of this Congress and was signed into law in 2003 that has been very successful around our urban interface areas and wildland urban interface, where we can go in and thin out the brush, work with the communities in collaboration and reduce the threat of catastrophic wildfire. Let's take those authorities that are now proven and workable and save taxpayer money because they're efficient and expand those out so we can protect watersheds, so that we can get ahead of these bug infestations that are killing off enormous swaths of Federal forest.

And I don't sense that the chairman—and I'd love to know if he'll take this up—I don't know if he supported the Healthy Forests Restoration Act when it was before the House, but it just so frustrates the people I represent and others that we may argue over a river here or something there and meantime the whole forest is dying, not just in the Northwest and on the east side, pine forest, but you get in Colorado and look at the damage there.

Members of both sides of the aisle in Colorado have called for special initiatives to allow thinning there to get ahead of that bug infestation that's killing the pine. You look, frankly, at what has happened across the border in Canada. These are enormous infestations. And if you're concerned about climate change, then you have to have understood that if temperature is rising, the forests can't keep pace with the change.

So if you want to do something to protect the forests for the future, then you need to thin them out now to be able to get out of drought and further stress and further bug infestation. And in doing so, we can reduce the cost to the taxpayers because we will get the forests back into balance; and when they catch fire, it will burn naturally and actually be fine.

And, by the way, we can put people to work; and that's what this ought to be about. This House should be addressing how you actually use the resources we have in a manageable and responsible way to put people back to work, whether you're in John Day or you're in Prineville or you're in Baker City or out in Wallawa County.

It's amazing the policies that have been put in place that restrict our access to our own forests, that even are so tight, so restrictive, you can't even cut a burned dead tree while it still has value and run it through a mill and make a productive wood out of it, lumber out of it.

No, we'd rather have some other country do that and then we'll import it, while our stuff stands there and rots. Then, oh, by the way, that becomes the breeding ground for some next expansion of some bug infestation that will take the next healthy forest. You drive around Suttle Lake in central Oregon and tell me we couldn't have prevented the fire that destroyed things there.

I can show you where when the Forest Service was given the ability to thin before this enormous fire a couple of years ago, the trees that they thinned around lived. Where they were denied access to go in and do forest recovery work, it destroyed everything. Oh, it will recover. None of us will probably be alive to see it. We might be. But, you know, it shouldn't be that way. It doesn't have to be that way.

So while we debate this bill here today on the Molalla River and the Willamette Valley, there's a bigger issue we should be bringing to this floor, and it is about how we are entrusted with the stewardship of America's great forests, those reserved and set aside beginning in 1935 by Theodore Roosevelt, who, by the way, when he did that speech in Utah, said the great purpose of forest reserves is, first, water for agriculture and, second, home-building. Now most people don't attribute that to Theodore Roosevelt, and you can go look up his speech in Utah, but that's what it was for.

Now, obviously there are things that we need to do in our forests for other purposes than those two; but, clearly, protecting watersheds is an essential stewardship obligation that this Congress for too long has not done enough to deal with. And part of it, sure, we can add more money here and more money there and that can be good and we can debate how much, but the real issue is the underlying law that needs to be fixed so that our forest managers who are trained professionals can go out to do what they were trained to do.

Can you imagine, let's say, if you were a veterinarian, and I don't know if there are any on the floor, maybe Mr. SCHRADER, but if you were a veterinarian and you had to go through the process a forester has to go through to treat an animal, you might as well shoot it in the head because it's never going to survive long enough to get the treatment you know you need to prescribe.

So let's be reasonable about these things. We've done it before in a bipartisan way. We can do it again before America's great forest reserves go up in smoke and are destroyed. You go back to that Colorado example when the Hayman fire occurred and that whole watershed, the pictures of the mud coming into their drinking water and the dead fish. We don't have to live that way.

But simply making the argument, as one of my friends made, that, well, we're just behind the next State in terms how much we set aside and don't ever do anything with and ignore is the wrong argument in my book, and so I would respectfully disagree with my friend from Oregon who made that argument because I don't think that's the measurement of good stewardship.

The measurement of good stewardship is how you take care of it for the future, what you leave for the next generation, and that doesn't mean you never touch it again. It means active

management where it's appropriate. It means saving our watersheds and habitat for all God's creatures; and it means, by the way, in doing so, we can figure out a way to turn biomass into energy and turn our natural resources into jobs. That's what we need. And it can be hand in hand, and it can be responsibly done.

Mr. GRIJALVA. Mr. Speaker, let me tell my friend from Oregon, Mr. WALDEN, that his comments are appreciated.

I agree with you. There is a universal question about balance, restoration, and protection of our great forests, and I look forward to discussing those.

Mr. Speaker, I yield such time as he may consume to the sponsor of the legislation, Mr. SCHRADER.

Mr. SCHRADER. Mr. Speaker, I just want to thank my colleague from the eastern part of the great State of Oregon for supporting this bill. He's an acknowledged forest policy expert in his caucus; and if he thinks the bill has merit, I would hope that the rest of his colleagues would, too.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

I really appreciate my friend from Oregon, Mr. WALDEN, making his statement because this is just a very, very small part of the complex issues surrounding our national forest lands, and I thought he put it very much into perspective.

I too in my State in the last several years have suffered from a number of forest fires. And it gets very, very frustrating that after the fire is put out that the potential harvestable leftover there is subject to litigation and you can never harvest it, which simply means that that timber becomes fuel for the next fire, and yet that is our policy.

How that relates to this bill is that the focus, at least on my part, and I acknowledge that it is a very small portion and it's only 400 acres, but we are forever taking those 400 acres out of potential commercial activity.

□ 1300

And it just seems to me that this is one part of it that we ought to be at least working and dealing cautiously with, because it's symptomatic of the larger issue of timber management in this country, as so eloquently stated by the gentleman from Oregon (Mr. WALDEN).

So, Mr. Speaker, I am going to reserve my time at this point.

Mr. GRIJALVA. Mr. Speaker, let me yield 3 minutes to my friend, Congressman WU.

Mr. WU. Mr. Speaker, I rise in strong support of this legislation to designate about 21 miles of the Molalla River in Clackamas County, Oregon, as "wild and scenic." It is a Federal designation that will help preserve the Oregon character of this beautiful river. The Molalla is a prime example of accessible, valued natural settings that Or-

egonians cherish as an essential component of our living standard. Beyond the essential function of supplying water to communities in Clackamas County, each year the river attracts thousands of boaters, hikers, and fishermen from up and down the Willamette Valley, from around Oregon, including eastern and central Oregon, and indeed, from around the country. I, myself, have floated this river, have fished this river, and appreciate its wild splendor, whether it's osprey fishing for trout themselves, or beaver and other animals swimming through the rivers.

It's also true that in these very tough economic times the protection of special natural spaces like the Molalla supports Oregon's vibrant and crucial outdoor recreation industry, an industry which supplies 73,000 jobs and injects \$5.8 billion into Oregon's economy each year. That is why this bill has the support of diverse community leaders and groups, not just environmental groups, not just recreation groups, but economic leaders and community leaders, elected and appointed.

From cities to counties, neighborhood associations, to recreational groups, sportsmen groups to environmental organizations, we all appreciate the pragmatic protection of our rivers and natural areas in a comprehensive, inclusive and fair way. This bill will ensure that Oregonians will always be able to enjoy what the Molalla River has to offer.

I want to commend my good friend and colleague from Oregon, Congressman SCHRADER, for bringing this important bill before this body. I thank him, and ask for everyone to support this legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I inquired a moment ago how much time. How much time again? And if I could inquire of my friend from Arizona again if there's any speakers. I noted that the gentleman from Oregon came down, and that's why I reserved. And I just wonder if the gentleman has any more speakers.

Mr. GRIJALVA. There are no additional speakers.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). The gentleman from Washington has 4½ minutes remaining. The gentleman from Arizona has 7 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I made reference several times in my remarks of the unintended consequences, or alluded to unintended consequences, that happen with legislation like this. And let me give you a real-life example, and again, I alluded to it in my remarks.

I'm talking specifically about the Stehekin town at the end of Lake Chelan in my district. This is a town that has no roads going into it. The only way you can get there is by boat, up the Lake Chelan, or by an airplane that can land on the lake. This is a

gateway to a wilderness area, and this wilderness designation was made some 20 years ago. There's a road that goes back about 20 miles to hit the wilderness area. This is an economic driver for the town of Stehekin.

Well, unfortunately, the road is in a wilderness area, and this is the unintended consequence, because you get a lot of snowfall in the Cascades, and this road gets washed out occasionally. It got completely washed out several years ago, and the obvious solution to that is to repair the road so that you can still have access to the wilderness area. But you have the one problem in this particular case, and that is, the road is in a wilderness area, which means there's no wiggle room. And so, it is literally taking an act of Congress, Mr. Speaker, to rebuild a dirt road to give access to a wilderness area.

Now, I'm sure that that wasn't intended when this bill was passed by the Congress before I got here in the late 1980s. I'm sure that that was not the case, and yet, we passed the bill out of the House, I'm very pleased, in a bipartisan note. But just think about this principle. This is a road that gives you access to a wilderness area, but it happens to be on wilderness land. An act of nature washes out that land, and it takes an act of Congress, for goodness sakes, to make it whole again so you have economic activity.

Several Members, several of my colleagues from Oregon have talked about the great economic activity that this designation is going to have. I hope they're right. But they should take into account a real life example in a small part of a State just north of them, namely, what's happened to the community of Stehekin at the top end of Lake Chelan in my district, because these are the real-life happenings and the unintended consequences that happen when you give total authority to the Federal Government.

I hope it doesn't happen on the Molalla River, I truly don't. But I suspect, as I said earlier in my remarks, that that very well may be the case. And so I think that story is worth retelling, Mr. Speaker, because it's not told enough. The town of Stehekin is a very small town, and the issue isn't done yet. That bill is in the Senate. I certainly hope it passes.

But I might mention one other irony. Those that are opposed, that were opposed to rebuilding that road, they don't live in Washington State. They live in other areas of the country. Why? Because you cannot damage wilderness. Even though this happens to be an economic lifeline, I'm sure it was the unintended consequences that they're talking about.

So, Mr. Speaker, I reluctantly rise, as I said in my opening remarks, to oppose this designation, not because the gentleman from Oregon, the sponsor of the bill, is doing what he thinks his constituents want. I respect that. I really do. I just have experienced firsthand enough in my time in Congress to

see that this leads to unintended consequences, and there are better ways to management and probably to provide economic activity surrounding the Molalla River than going this far.

The second point is, we could have accommodated the gentleman from Oregon's concern about taking this timber matrix out with a simple land exchange. We're only talking about 400 acres. Yet, it was denied twice: once in committee and once by the Rules Committee. So those 400 acres, albeit small, are locked up forever. But, as I said, 400 acres today, maybe it will be 6,000 acres in the future. There's certainly been thousands of acres in the past.

So with that, Mr. Speaker, I rise reluctantly to oppose this bill.

I yield back my time.

Mr. GRIJALVA. Mr. Speaker, during the course of this debate, we interchanged "wilderness" for "wild and scenic river" designations throughout. But I think the point that Mr. HASTINGS made was an important one. And all of us were happy to work with Mr. HASTINGS to address the wilderness road issue that it raised. It was in his district. He wanted it. He wanted to get it fixed, and so it was done.

This is Mr. SCHRADER's district, and he wants it so we should respect that as well. I want to also congratulate him on the fine work. This was a participatory process, stakeholders at the table. It was a process that everybody has an investment in, and the consequence of that process, and the fine work done by Mr. SCHRADER, is that we have buy-in, and we have tremendous support for it.

Part of what we were talking about today as well were the claims. First, it was claims that this would stop logging. We pointed out that there was no logging on the land due to a management prerogative by the Bush administration. Then it was claimed, well, this might stop logging in the future. We pointed out that the wild and scenic rivers designation and the act does not stop logging in the future. So, then it was claimed, well, litigation might stop logging. Well, as the claims and the discussion changes, the argument keeps changing. I think this is a good piece of legislation. I urge all my colleagues to support it.

I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 908, the previous question is ordered on the bill, as amended.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 2781 will be followed by a 5-minute vote on suspending the rules and agreeing to H. Con. Res. 212.

The vote was taken by electronic device, and there were—yeas 292, nays 133, not voting 9, as follows:

[Roll No. 905]

YEAS—292

Abercrombie	Eshoo	Maloney
Ackerman	Etheridge	Markey (CO)
Adler (NJ)	Farr	Markey (MA)
Altmire	Fattah	Marshall
Andrews	Fillner	Massa
Arcuri	Fortenberry	Matheson
Baca	Foster	Matsui
Baird	Frank (MA)	McCarthy (NY)
Baldwin	Frelinghuysen	McCollum
Barrow	Fudge	McCotter
Bartlett	Garamendi	McDermott
Bean	Gerlach	McGovern
Becerra	Giffords	McIntyre
Berkley	Gonzalez	McMahon
Berman	Goodlatte	McNerney
Berry	Gordon (TN)	Meek (FL)
Biggert	Grayson	Meeks (NY)
Bishop (GA)	Green, Al	Michaud
Bishop (NY)	Green, Gene	Miller (MI)
Blumenauer	Griffith	Miller (NC)
Boccieri	Grijalva	Minnick
Bono Mack	Gutierrez	Mitchell
Boren	Hall (NY)	Mollohan
Boswell	Halvorson	Moore (KS)
Boucher	Hare	Moran (VA)
Boyd	Harman	Murphy (CT)
Brady (PA)	Hastings (FL)	Murphy (NY)
Braley (IA)	Heinrich	Murphy, Patrick
Bright	Herseth Sandlin	Murtha
Brown, Corrine	Higgins	Nadler (NY)
Brown-Waite,	Hill	Napolitano
Ginny	Himes	Neal (MA)
Buchanan	Hinchee	Nye
Butterfield	Hinojosa	Oberstar
Camp	Hirono	Obey
Capps	Hodes	Olver
Cardoza	Holden	Ortiz
Carnahan	Holt	Owens
Carney	Honda	Pallone
Carson (IN)	Hoyer	Pascarella
Castle	Inglis	Pastor (AZ)
Castor (FL)	Inslee	Paulsen
Chandler	Israel	Payne
Childers	Jackson (IL)	Perlmutter
Chu	Jackson-Lee	Perriello
Clarke	(TX)	Peters
Clay	Johnson (GA)	Peterson
Cleaver	Johnson (IL)	Petri
Clyburn	Johnson, E. B.	Pingree (ME)
Cohen	Jones	Platts
Connolly (VA)	Kagen	Polis (CO)
Conyers	Kanjorski	Pomeroy
Cooper	Kaptur	Price (NC)
Costa	Kennedy	Quigley
Costello	Kildee	Rahall
Courtney	Kilpatrick (MI)	Rangel
Crowley	Kilroy	Reichert
Cuellar	Kind	Reyes
Cummings	Kirk	Richardson
Dahlkemper	Kirkpatrick (AZ)	Rodriguez
Davis (AL)	Kissell	Rogers (KY)
Davis (CA)	Klein (FL)	Rogers (MI)
Davis (IL)	Kosmas	Ros-Lehtinen
Davis (TN)	Kratovil	Roskam
DeFazio	Kucinich	Ross
DeGette	Lance	Roybal-Allard
Delahunt	Langevin	Ruppersberger
DeLauro	Larsen (WA)	Rush
Dent	Larson (CT)	Ryan (OH)
Dicks	LaTourette	Salazar
Dingell	Lee (CA)	Sanchez, Linda
Doggett	Levin	T.
Donnelly (IN)	Lewis (GA)	Sanchez, Loretta
Doyle	Lipinski	Sarbanes
Driehaus	LoBiondo	Schakowsky
Edwards (MD)	Loebbeck	Schauer
Edwards (TX)	Lofgren, Zoe	Schiff
Ehlers	Lowey	Schock
Ellison	Lujan	Schrader
Ellsworth	Lynch	Schwartz
Engel	Maffei	Scott (GA)

Scott (VA)	Sutton	Walz
Serrano	Tanner	Wasserman
Sestak	Taylor	Schultz
Shea-Porter	Teague	Waters
Sherman	Terry	Watson
Shuler	Thompson (CA)	Watt
Simpson	Thompson (MS)	Waxman
Sires	Tiberi	Weiner
Skelton	Tierney	Welch
Slaughter	Titus	Wexler
Smith (NJ)	Tonko	Whitfield
Smith (WA)	Towns	Wilson (OH)
Snyder	Tsongas	Wittman
Space	Upton	Wolf
Speier	Van Hollen	Woolsey
Spratt	Velázquez	Wu
Stark	Visclosky	Yarmuth
Stupak	Walden	

NAYS—133

Aderholt	Forbes	McMorris
Akin	Fox	Rodgers
Alexander	Franks (AZ)	Mica
Austria	Gallely	Miller (FL)
Bachmann	Garrett (NJ)	Miller, Gary
Bachus	Gingrey (GA)	Moran (KS)
Barrett (SC)	Gohmert	Myrick
Barton (TX)	Granger	Neugebauer
Billbray	Graves	Nunes
Billirakis	Guthrie	Olson
Bishop (UT)	Hall (TX)	Paul
Blackburn	Harper	Pence
Blunt	Hastings (WA)	Pitts
Boehner	Heller	Poe (TX)
Bonner	Hensarling	Posey
Boozman	Herger	Price (GA)
Boustany	Hoekstra	Putnam
Brady (TX)	Hunter	Radanovich
Broun (GA)	Issa	Rehberg
Burgess	Jenkins	Roe (TN)
Burton (IN)	Johnson, Sam	Rogers (AL)
Buyer	Jordan (OH)	Rohrabacher
Calvert	King (IA)	Rooney
Campbell	King (NY)	Royce
Cantor	Kingston	Ryan (WI)
Cao	Kline (MN)	Scalise
Capito	Lamborn	Schmidt
Cassidy	Latham	Sensenbrenner
Chaffetz	Latta	Sessions
Coble	Lee (NY)	Shadegg
Coffman (CO)	Lewis (CA)	Shimkus
Cole	Linder	Shuster
Conaway	Lucas	Smith (NE)
Crenshaw	Luetkemeyer	Smith (TX)
Culberson	Lummis	Souder
Davis (KY)	Lungren, Daniel	Stearns
Deal (GA)	E.	Sullivan
Diaz-Balart, L.	Mack	Thompson (PA)
Diaz-Balart, M.	Manzullo	Thornberry
Dreier	Marchant	Tiahrt
Duncan	McCarthy (CA)	Turner
Emerson	McClintock	Wamp
Fallin	McHenry	Westmoreland
Flake	McKeon	Wilson (SC)
Fleming		Young (AK)
		Young (FL)

NOT VOTING—9

Brown (SC)	McCaul	Moore (WI)
Capuano	Melancon	Murphy, Tim
Carter	Miller, George	Rothman (NJ)

□ 1337

Messrs. CRENSHAW and SULLIVAN changed their vote from "yea" to "nay."

Messrs. DENT, VAN HOLLEN and WOLF changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING ANNIVERSARY OF THE VELVET REVOLUTION IN CZECHOSLOVAKIA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res.

212, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 212, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 8, as follows:

[Roll No. 906]

YEAS—426

Abercrombie	Clyburn	Grijalva
Ackerman	Coble	Guthrie
Aderholt	Coffman (CO)	Gutierrez
Adler (NJ)	Cohen	Hall (NY)
Akin	Cole	Hall (TX)
Alexander	Conaway	Halvorson
Altmire	Connolly (VA)	Hare
Andrews	Conyers	Harman
Arcuri	Cooper	Harper
Austria	Costa	Hastings (FL)
Baca	Costello	Hastings (WA)
Bachmann	Courtney	Heinrich
Bachus	Crenshaw	Heller
Baird	Crowley	Hensarling
Baldwin	Cuellar	Herger
Barrett (SC)	Culberson	Herseth Sandlin
Barrow	Cummings	Higgins
Bartlett	Dahlkemper	Hill
Barton (TX)	Davis (AL)	Himes
Bean	Davis (CA)	Hinchee
Becerra	Davis (IL)	Hinojosa
Berkley	Davis (KY)	Hirono
Berman	Davis (TN)	Hodes
Berry	Deal (GA)	Hoekstra
Biggert	DeFazio	Holden
Bilbray	DeGette	Holt
Bilirakis	Delahunt	Honda
Bishop (GA)	DeLauro	Hoyer
Bishop (NY)	Dent	Hunter
Bishop (UT)	Diaz-Balart, L.	Inglis
Blackburn	Diaz-Balart, M.	Inslee
Blumenauer	Dicks	Israel
Blunt	Dingell	Issa
Bocciari	Doggett	Jackson (IL)
Boehner	Donnelly (IN)	Jackson-Lee
Bonner	Doyle	(TX)
Bono Mack	Dreier	Jenkins
Boozman	Driehaus	Johnson (GA)
Boren	Duncan	Johnson (IL)
Boswell	Edwards (MD)	Johnson, E. B.
Boucher	Edwards (TX)	Johnson, Sam
Boustany	Ehlers	Jones
Boyd	Ellison	Jordan (OH)
Brady (PA)	Ellsworth	Kagen
Brady (TX)	Emerson	Kanjorski
Braley (IA)	Engel	Kaptur
Bright	Eshoo	Kennedy
Broun (GA)	Etheridge	Kildee
Brown, Corrine	Fallin	Kilpatrick (MI)
Brown-Waite,	Farr	Kilroy
Ginny	Fattah	Kind
Buchanan	Filner	King (IA)
Burgess	Flake	King (NY)
Burton (IN)	Fleming	Kingston
Butterfield	Forbes	Kirk
Buyer	Fortenberry	Kirkpatrick (AZ)
Calvert	Foster	Kissell
Camp	Fox	Klein (FL)
Campbell	Frank (MA)	Kline (MN)
Cantor	Franks (AZ)	Kosmas
Cao	Frelinghuysen	Kratovil
Capito	Fudge	Kucinich
Capps	Gallely	Lamborn
Capuano	Garamendi	Lance
Cardoza	Garrett (NJ)	Langevin
Carnahan	Gerlach	Larsen (WA)
Carney	Giffords	Larsen (CT)
Carson (IN)	Gingrey (GA)	Latham
Cassidy	Gohmert	LaTourette
Castle	Gonzalez	Latta
Castor (FL)	Goodlatte	Lee (CA)
Chaffetz	Gordon (TN)	Lee (NY)
Chandler	Granger	Levin
Childers	Graves	Lewis (CA)
Chu	Grayson	Lewis (GA)
Clarke	Green, Al	Linder
Clay	Green, Gene	Lipinski
Cleaver	Griffith	LoBiondo

Loebach	Pallone	Shea-Porter
Lofgren, Zoe	Pascarella	Sherman
Lowey	Pastor (AZ)	Shimkus
Lucas	Paul	Shuler
Luetkemeyer	Paulsen	Shuster
Lujan	Payne	Simpson
Lummis	Pence	Sires
Lungren, Daniel	Perlmutter	Skelton
E.	Perriello	Slaughter
Lynch	Peters	Smith (NE)
Mack	Peterson	Smith (NJ)
Maffei	Petri	Smith (TX)
Maloney	Pingree (ME)	Smith (WA)
Manzullo	Pitts	Snyder
Marchant	Platts	Souder
Markey (CO)	Poe (TX)	Space
Markey (MA)	Polis (CO)	Speier
Marshall	Pomeroy	Spratt
Massa	Posey	Stark
Matheson	Price (GA)	Stearns
Matsui	Price (NC)	Stupak
McCarthy (CA)	Putnam	Sullivan
McCarthy (NY)	Quigley	Sutton
McClintock	Radanovich	Tanner
McCollum	Rahall	Taylor
McCotter	Rangel	Teague
McDermott	Rehberg	Terry
McGovern	Reichert	Thompson (CA)
McHenry	Reyes	Thompson (MS)
McIntyre	Richardson	Thompson (PA)
McKeon	Rodriguez	Thornberry
McMahon	Roe (TN)	Tiahrt
McMorris	Rogers (AL)	Tiberi
Rodgers	Rogers (KY)	Tierney
McNerney	Rogers (MI)	Titus
Meek (FL)	Rohrabacher	Tonko
Meeks (NY)	Rooney	Towns
Mica	Ros-Lehtinen	Tsongas
Michaud	Roskam	Turner
Miller (FL)	Ross	Upton
Miller (MI)	Roybal-Allard	Van Hollen
Miller (NC)	Royce	Velázquez
Miller, Gary	Ruppersberger	Visclosky
Minnick	Rush	Walden
Mitchell	Ryan (OH)	Walz
Mollohan	Ryan (WI)	Wamp
Moore (KS)	Salazar	Wasserman
Moran (KS)	Sánchez, Linda	Schultz
Moran (VA)	T.	Waters
Murphy (CT)	Sanchez, Loretta	Watson
Murphy (NY)	Sarbanes	Watt
Murphy, Patrick	Scalise	Waxman
Murphy, Tim	Schakowsky	Weiner
Myrick	Schauer	Welch
Nadler (NY)	Schiff	Westmoreland
Napolitano	Schmidt	Wexler
Neal (MA)	Schock	Whitfield
Neugebauer	Schrader	Wilson (OH)
Nunes	Schwartz	Wilson (SC)
Nye	Scott (GA)	Wittman
Oberstar	Scott (VA)	Wolf
Obey	Sensenbrenner	Woolsey
Olson	Serrano	Wu
Oliver	Sessions	Yarmuth
Ortiz	Sestak	Young (AK)
Owens	Shadegg	Young (FL)

NOT VOTING—8

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1344

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: "Concurrent resolution expressing the sense of Congress on the occasion of the 20th anniversary of historic events in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and reaffirming the bonds of friendship and cooperation between the United States and the Slovak Republic and the Czech Republic."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROTHMAN of New Jersey. Mr. Speaker, Wednesday, November 18, 2009, due to illness, and at the advice of my doctor, I was unable to vote on rollcall No. 896: Passage of H. Con. Res. 214. Had I been present, I would have voted "yes."

Mr. Speaker, due to illness, and at the advice of my doctor, I was unable to vote on rollcall No. 897: Motion on Ordering the Previous Question on the Rule for H.R. 3791. Had I been present, I would have voted "yes."

Mr. Speaker, due to illness, and at the advice of my doctor, I was unable to vote on rollcall No. 898: Passage of H. Res. 909. Had I been present, I would have voted "yes."

Mr. Speaker, due to illness, and at the advice of my doctor, I was unable to vote on rollcall No. 899: On agreeing to the Perlmutter (CO) Amendment. Had I been present, I would have voted "yes."

Mr. Speaker, due to illness, and at the advice of my doctor, I was unable to vote on rollcall No. 900: On agreeing to the Flake (AZ) Amendment. Had I been present, I would have voted "no."

Mr. Speaker, due to illness, and at the advice of my doctor, I was unable to vote on rollcall No. 901: On Passage of H.R. 3791. Had I been present, I would have voted "yes."

Mr. Speaker, on Thursday, November 19, 2009, due to my required participation in a classified national security meeting, I was unable to vote on rollcall No. 905: On Passage of H.R. 2781. Had I been present, I would have voted "yes."

Mr. Speaker, due to my required participation in a classified national security meeting, I was unable to vote on rollcall No. 906: On Passage of H. Con. Res. 212. Had I been present, I would have voted "yes."

MEDICARE PHYSICIAN PAYMENT REFORM ACT OF 2009

Mr. WAXMAN. Mr. Speaker, pursuant to House Resolution 903, I call up the bill (H.R. 3961) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SALAZAR). Pursuant to House Resolution 903, the bill is considered read.

The text of the bill is as follows:

H.R. 3961

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Physician Payment Reform Act of 2009".

SEC. 2. MEDICARE SUSTAINABLE GROWTH RATE REFORM.

(a) TRANSITIONAL UPDATE FOR 2010.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d)) is amended by adding at the end the following new paragraph:

"(10) UPDATE FOR 2010.—The update to the single conversion factor established in paragraph (1)(C) for 2010 shall be the percentage increase in the MEI (as defined in section 1842(i)(3)) for that year."

(b) REBASING SGR USING 2009; LIMITATION ON CUMULATIVE ADJUSTMENT PERIOD.—Section 1848(d)(4) of such Act (42 U.S.C. 1395w-4(d)(4)) is amended—

(1) in subparagraph (B), by striking “subparagraph (D)” and inserting “subparagraphs (D) and (G)”; and

(2) by adding at the end the following new subparagraph:

“(G) REBASING USING 2009 FOR FUTURE UPDATE ADJUSTMENTS.—In determining the update adjustment factor under subparagraph (B) for 2011 and subsequent years—

“(i) the allowed expenditures for 2009 shall be equal to the amount of the actual expenditures for physicians’ services during 2009; and

“(ii) the reference in subparagraph (B)(ii)(I) to ‘April 1, 1996’ shall be treated as a reference to ‘January 1, 2009 (or, if later, the first day of the fifth year before the year involved)’.”

(c) LIMITATION ON PHYSICIANS’ SERVICES INCLUDED IN TARGET GROWTH RATE COMPUTATION TO SERVICES COVERED UNDER PHYSICIAN FEE SCHEDULE.—Effective for services furnished on or after January 1, 2009, section 1848(f)(4)(A) of such Act is amended by striking “(such as clinical)” and all that follows through “in a physician’s office” and inserting “for which payment under this part is made under the fee schedule under this section, for services for practitioners described in section 1842(b)(18)(C) on a basis related to such fee schedule, or for services described in section 1861(p) (other than such services when furnished in the facility of a provider of services)”.

(d) ESTABLISHMENT OF SEPARATE TARGET GROWTH RATES FOR CATEGORIES OF SERVICES.—

(1) ESTABLISHMENT OF SERVICE CATEGORIES.—Subsection (j) of section 1848 of the Social Security Act (42 U.S.C. 1395w-4) is amended by adding at the end the following new paragraph:

“(5) SERVICE CATEGORIES.—For services furnished on or after January 1, 2009, each of the following categories of physicians’ services (as defined in paragraph (3)) shall be treated as a separate ‘service category’:

“(A) Evaluation and management services that are procedure codes (for services covered under this title) for—

“(i) services in the category designated Evaluation and Management in the Health Care Common Procedure Coding System (established by the Secretary under subsection (c)(5) as of December 31, 2009, and as subsequently modified by the Secretary); and

“(ii) preventive services (as defined in section 1861(iii)) for which payment is made under this section.

“(B) All other services not described in subparagraph (A).

Service categories established under this paragraph shall apply without regard to the specialty of the physician furnishing the service.”

(2) ESTABLISHMENT OF SEPARATE CONVERSION FACTORS FOR EACH SERVICE CATEGORY.—Subsection (d)(1) of section 1848 of the Social Security Act (42 U.S.C. 1395w-4) is amended—

(A) in subparagraph (A)—

(i) by designating the sentence beginning “The conversion factor” as clause (i) with the heading “APPLICATION OF SINGLE CONVERSION FACTOR.—” and with appropriate indentation;

(ii) by striking “The conversion factor” and inserting “Subject to clause (ii), the conversion factor”; and

(iii) by adding at the end the following new clause:

“(ii) APPLICATION OF MULTIPLE CONVERSION FACTORS BEGINNING WITH 2011.—

“(I) IN GENERAL.—In applying clause (i) for years beginning with 2011, separate conver-

sion factors shall be established for each service category of physicians’ services (as defined in subsection (j)(5)) and any reference in this section to a conversion factor for such years shall be deemed to be a reference to the conversion factor for each of such categories.

“(II) INITIAL CONVERSION FACTORS.—Such factors for 2011 shall be based upon the single conversion factor for the previous year multiplied by the update established under paragraph (1) for such category for 2011.

“(III) UPDATING OF CONVERSION FACTORS.—Such factor for a service category for a subsequent year shall be based upon the conversion factor for such category for the previous year and adjusted by the update established for such category under paragraph (1) for the year involved.”; and

(B) in subparagraph (D), by striking “other physicians’ services” and inserting “for physicians’ services described in the service category described in subsection (j)(5)(B)”.

(3) ESTABLISHING UPDATES FOR CONVERSION FACTORS FOR SERVICE CATEGORIES.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d)), as amended by subsection (a), is amended—

(A) in paragraph (4)(C)(iii), by striking “The allowed” and inserting “Subject to paragraph (1)(B), the allowed”; and

(B) by adding at the end the following new paragraph:

“(11) UPDATES FOR SERVICE CATEGORIES BEGINNING WITH 2011.—

“(A) IN GENERAL.—In applying paragraph (4) for a year beginning with 2011, the following rules apply:

“(i) APPLICATION OF SEPARATE UPDATE ADJUSTMENTS FOR EACH SERVICE CATEGORY.—Pursuant to paragraph (1)(A)(ii)(I), the update shall be made to the conversion factor for each service category (as defined in subsection (j)(5)) based upon an update adjustment factor for the respective category and year and the update adjustment factor shall be computed, for a year, separately for each service category.

“(ii) COMPUTATION OF ALLOWED AND ACTUAL EXPENDITURES BASED ON SERVICE CATEGORIES.—In computing the prior year adjustment component and the cumulative adjustment component under clauses (i) and (ii) of paragraph (4)(B), the following rules apply:

“(I) APPLICATION BASED ON SERVICE CATEGORIES.—The allowed expenditures and actual expenditures shall be the allowed and actual expenditures for the service category, as determined under subparagraph (B).

“(II) APPLICATION OF CATEGORY SPECIFIC TARGET GROWTH RATE.—The growth rate applied under clause (ii)(II) of such paragraph shall be the target growth rate for the service category involved under subsection (f)(5).

“(B) DETERMINATION OF ALLOWED EXPENDITURES.—In applying paragraph (4) for a year beginning with 2010, notwithstanding subparagraph (C)(iii) of such paragraph, the allowed expenditures for a service category for a year is an amount computed by the Secretary as follows:

“(i) FOR 2010.—For 2010:

“(I) TOTAL 2009 ACTUAL EXPENDITURES FOR ALL SERVICES INCLUDED IN SGR COMPUTATION FOR EACH SERVICE CATEGORY.—Compute total actual expenditures for physicians’ services (as defined in subsection (f)(4)(A)) for 2009 for each service category.

“(II) INCREASE BY GROWTH RATE TO OBTAIN 2010 ALLOWED EXPENDITURES FOR SERVICE CATEGORY.—Compute allowed expenditures for the service category for 2010 by increasing the allowed expenditures for the service category for 2009 computed under subclause (I) by the target growth rate for such service category under subsection (f) for 2010.

“(ii) FOR SUBSEQUENT YEARS.—For a subsequent year, take the amount of allowed expenditures for such category for the preceding year (under clause (i) or this clause) and increase it by the target growth rate determined under subsection (f) for such category and year.”.

(4) APPLICATION OF SEPARATE TARGET GROWTH RATES FOR EACH CATEGORY.—

(A) IN GENERAL.—Section 1848(f) of the Social Security Act (42 U.S.C. 1395w-4(f)) is amended by adding at the end the following new paragraph:

“(5) APPLICATION OF SEPARATE TARGET GROWTH RATES FOR EACH SERVICE CATEGORY BEGINNING WITH 2010.—The target growth rate for a year beginning with 2010 shall be computed and applied separately under this subsection for each service category (as defined in subsection (j)(5)) and shall be computed using the same method for computing the target growth rate except that the factor described in paragraph (2)(C) for—

“(A) the service category described in subsection (j)(5)(A) shall be increased by 0.02; and

“(B) the service category described in subsection (j)(5)(B) shall be increased by 0.01.”.

(B) USE OF TARGET GROWTH RATES.—Section 1848 of such Act is further amended—

(i) in subsection (d)—

(I) in paragraph (1)(E)(ii), by inserting “or target” after “sustainable”; and

(II) in paragraph (4)(B)(ii)(II), by inserting “or target” after “sustainable”;

(ii) in the heading of subsection (f), by inserting “AND TARGET GROWTH RATE” after “SUSTAINABLE GROWTH RATE”;

(iii) in subsection (f)(1)—

(I) by striking “and” at the end of subparagraph (A);

(II) in subparagraph (B), by inserting “before 2010” after “each succeeding year” and by striking the period at the end and inserting “; and”; and

(III) by adding at the end the following new subparagraph:

“(C) November 1 of each succeeding year the target growth rate for such succeeding year and each of the 2 preceding years.”; and

(iv) in subsection (f)(2), in the matter before subparagraph (A), by inserting after “beginning with 2000” the following: “and ending with 2009”.

(e) APPLICATION TO HEALTH CARE GROUP DEMONSTRATION PROGRAM AND SUCCESSOR ACCOUNTABLE CARE ORGANIZATION PILOT PROGRAM.—In applying the target growth rate under subsections (d) and (f) of section 1848 of the Social Security Act to services furnished by a practitioner to beneficiaries who are attributable to a health care group under the demonstration program provided under section 1886A of such Act (or to an accountable care organization under a pilot program that is a successor to such demonstration program under a section of such Act), the Secretary of Health and Human Services shall develop, not later than January 1, 2012, for application beginning with 2012, a method that—

(1) allows each such group or organization to have its own expenditure targets and updates for such practitioners, with respect to beneficiaries who are attributable to that group or organization, that are consistent with the methodologies described in such subsection (f); and

(2) provides that the target growth rate applicable to other physicians shall not apply to such physicians to the extent that the physicians’ services are furnished through the group or organization.

In applying paragraph (1), the Secretary of Health and Human Services may apply the difference in the update under such paragraph on a claim-by-claim or lump sum basis

and such a payment shall be taken into account under the demonstration or pilot program.

The SPEAKER pro tempore. The gentleman from California (Mr. WAXMAN) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Speaker, I yield myself 3 minutes.

Today, we consider legislation that will maintain and strengthen Medicare for seniors and individuals with disabilities. A law passed in 1997 set a limit on payments to Medicare physicians. The idea was to save money, but the limit was set too low and required draconian cuts, forcing Congress to intervene with temporary fixes.

In 2004, the law required a 4.5 percent cut. In 2008, it was a 10.1 percent cut. This year, doctors face a 21 percent cut. These are unsustainable cuts that would bring about havoc in the Medicare program. Congress has responded by enacting temporary 1-year fixes. These temporary fixes only make the problem worse the next year. The result has been a cycle of ever increasing cuts followed by ever costlier fixes.

This is not a problem of mere budget or fiscal discipline; it is a kitchen table problem for America's seniors and for the physicians who are partners in the Medicare program. Medicare's ability to guarantee health care for seniors would be eliminated if these cuts went into effect.

We are rightly asking much of the health care providers in health reform. We are demanding they provide care more efficiently, that they improve the quality of care, and that they give taxpayers good value for their dollars. In return, we need to pay them fairly for their efforts and to be an honest partner. We have two basic choices. We can solve this problem permanently or we can enact another 1-year Band-Aid. This legislation says that we will finally enact a lasting reform.

The House recognized in our budget that honest accounting means facing this problem squarely and finding a way to address it. This legislation meets that call, replacing the sustainable growth rate for physicians, or SGR, which Congress enacted in 1997, with a more responsible and stable system for the future. We must be honest about this problem and address it responsibly and immediately. We can take that step today by passing this bill and combining it with statutory PAYGO, which will help restore fiscal discipline.

I urge Members to support adoption of this bill and reserve the balance of my time.

Mr. BARTON of Texas. I ask unanimous consent that of the 30 minutes that I control, the ranking member of the Ways and Means Committee, the gentleman from Michigan (Mr. CAMP), control 15 of those minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARTON of Texas. I would yield myself 1 minute.

Mr. Speaker, the only fix that's in this bill before us is "the fix is in." This is nothing more than a repayment to the American Medical Association for endorsing the larger health care bill that was on the floor several weeks ago. There is not one dime of pay-for in this bill. It is a wave the magic wand, erase the accumulated deficit of the last 10 years or so in the SGR formula, and let's kick the can on down the road.

The bill is so narrowly construed that we couldn't offer in the motion to recommit a real pay-for because this bill doesn't have a pay-for. This is nothing more than a political payoff to the American Medical Association. Republicans support really fixing the SGR system, but we think it ought to be done all at the same time. So we would hope that we would vote against this sham today.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I'm pleased at this point to yield 1 minute to the distinguished majority leader to speak on the legislation, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the distinguished chairman for yielding, and I rise in strong support of this legislation. I want to say to my friend who has just spoken, the ranking member of the committee who chaired the committee, who said they wanted to pay for things, what this bill does is put statutory PAYGO into law. He's right. But what he didn't say to you is when their side controlled the Presidency, the House, and the Senate, they jettisoned paying for things. They did away with statutory PAYGO, they did away with PAYGO generally, and what happened? We went from substantial surpluses under the Clinton administration to substantial deficits under the Bush administration.

Now we were told those substantial deficits and deficits that were being created would create economic growth in our country. In point of fact, however, after 8 years of that economic policy where they jettisoned PAYGO, a PAYGO which provided \$5.6 trillion of surplus available in March 2001, according to President Bush; but they abandoned PAYGO, which is in this bill.

This is not a question of payoff to anybody. This was in the President's budget when he sent it down here earlier this year. It was in our budget that passed the House and the Senate. We said we were going to do this. Why? Because it's the right thing to do. Today, we have the chance to vote for health care our seniors can count on and a fiscal future for all Americans that they can have faith in.

Very frankly, my friend also said, We on the Republican side want to fix this. My question is simply: Why didn't you? Why do we still have this issue that confronts us year after year after year because we didn't have the courage to

face it? I'm going to talk about the deficit, because this adds to the deficit. I will lament that, but there is not an option, as you added to the deficit every time you fixed it one year at a time. Doctors couldn't rely on it. More importantly, seniors couldn't rely on the fact that their doctors wouldn't have a big cut and push them out. I'm going to talk about that as well. We can do it by stopping a massive Medicare payment cut and by committing future policies to the tested principle of pay-as-you-go.

Now my friends on the other side of the aisle don't like pay-as-you-go because it constrained them in cutting revenues over a trillion dollars, which is one of the reasons we have such a large deficit, because they didn't pay for what they bought. Interestingly enough, my friends, they bought at a rate twice the growth in spending that occurred during the 1990s, in the 2000s, which was about 3½ percent per year. It was 7 percent a year when my friends on the other side of the aisle controlled all of the levers of power. So they decreased revenue and increased spending, and we had large deficits and the biggest recession we have faced since the 1930s were inherited by this administration and, frankly, by this Congress.

Now going back to the pay-as-you-go. First, the Medicare payment rate cut, if we do nothing, payments to doctors treating Medicare patients will drop by 21 percent in the new year with more cuts in the years to come. If we allow that to take place, many seniors will find their doctors no longer available to treat them.

So this is not only about compensating doctors for the services that are vitally important and we want them to give, but it is also protecting seniors' access to doctors. That will mean less access to health care, longer waiting lists, and serious conditions going untreated and.

In sum, if we do not act on this bill, it will mean sicker seniors. That's why it's essential that we stop these cuts before they're allowed to take effect. The cuts, of course, will occur on January 1 of this year, approximately 1 month from today.

It is important to remember that this bill would simply prevent cuts, not increase payments to doctors. But it is true that ensuring our seniors' access to their doctors will add to our deficit, just as extending any of the Bush tax cuts that are set to expire next year would do. Because seniors' health is at stake in this bill, I believe that stopping these payment cuts is worth the cost.

It's also worth pointing out that this bill represents a new honesty in budgeting. As far as Democrats are concerned, the days of pretending that the costs of the "doctor fix" will be made up by even deeper cuts next year are over. That, of course, is a policy we followed in the first 8 years of this decade. We pretended that somehow we'd

fix it later, and we never did. Indeed, most of the costs associated with this bill are the result of stopping the gimmicks that were used for years and cleaning up the mess created by those gimmicks. The first step to getting out of debt is being honest about the debt we're in. It is too deep, it is dangerous, and we need to address it.

So let's be honest. Our country is in a deep fiscal hole for reasons that go far beyond Medicare payments. In fact, there's no one reason for our record national debt. It's bipartisan in nature, not exclusively Republican or Democrat.

The causes include the previous administration's debt financed tax cuts, which I've spoken of, for America's essentially wealthier citizens who got most of the tax cuts; the cost of two wars, which we did not pay for; our escalating entitlements programs, which all of us have supported; the recession that we have confronted and that started in the seventh year of the previous administration's term; and the deficit spending—and we need to clean up that economic mess; spending that economists tell us is necessary to stimulate demand and recession.

In other words, we needed to spend the money to preclude a depression, not just a deep recession that we're in, and almost every economist, including Marty Feldstein, said that that was necessary.

A recent New York Times analysis tells us that 90 percent of our deficit has been brought about by the policies of the previous administration and the extension of its policies and the economic crisis that it left behind.

□ 1400

No one step will get us out of our fiscal hole, but the most important immediate step we can take is to commit ourselves to the principle that in new policies of our country, we will pay for what we buy. That is the principle of pay-as-you-go, or PAYGO, which was in place in the 1990s as we went from deep debt into surplus and that \$5.6 trillion surplus that President Bush inherited in 2001. In the 1990s, President Clinton used it to turn huge deficits into a record surplus, and when President Bush abandoned PAYGO, and my friends on the other side of the aisle abandoned PAYGO, record deficits returned.

When Democrats took back the House majority in 2006, we demonstrated our commitment to fiscal responsibility by making PAYGO a part of the House rules. It's sometimes been difficult. And now with the support from President Obama and both Chambers of Congress, we have a real chance to give PAYGO the force of law by passing this bill. Under PAYGO, Congress will be forced to offset all new policies reducing revenues or expanding entitlements, so that they add nothing to our deficit.

In essence, we will be forced to make the hard budgeting choices that are so

tempting to avoid. We are avoiding them today. We ought to admit that very honestly. Why are we doing it? Because as a practical matter, in the deep recession that we're in, we cannot pay for it without depressing the economy further.

That is not an acceptable alternative. If we want to cut taxes, we'll have to explain which programs will suffer cuts. If we want to expand entitlements, we'll have to spell out how we are going to pay for it. And no matter which party is in power, we'll be forced to distinguish wasteful spending and subsidies from the long-term priorities that really matter to our country.

Some have explained that statutory PAYGO would not apply to extensions of some existing policies that have bipartisan support, one of which is the one we're talking about today. Policies on the alternative minimum tax, which we've already done. And by the way, I am one of those—wasn't in the majority—who voted against extending the alternative minimum tax if we did not pay for it. In addition to that, Medicare doctor payments, which we're talking about today, and the estate and middle-income tax cuts passed in 2001 and 2003.

I sympathize with their concerns. They are not specious concerns. I have said repeatedly that I would fight to pay for all of these policies. Hear me, if the Senate sends this back paid for, I will support it. I challenge all of you on that side of the aisle and all of you on this side of the aisle to do the same. That stands in contrast, frankly, to the first 8 years of this decade, when repeatedly it was stated that they do not believe that extensions of tax cuts need to be paid for.

Unfortunately, it's a political reality that the votes to pay for extensions of the Bush policies are most likely not there. A PAYGO law that ignored that fact would be waived for those policies and then again and again. I prefer a law that we can enforce consistently. And very frankly, that is supported by some of the most consistent voters for fiscal responsibility on this floor.

Mr. Speaker, in our country's economic meltdown last year, we all saw the damage that deep debt can do. It's time for our Federal Government to learn that lesson and act on it. If we fail to act, liberal and conservative, Democratic and Republican, priorities will suffer alike. We can still prevent that outcome, ladies and gentlemen of this House. We cannot get back to fiscal health in one afternoon's vote, and we will not, perhaps not in this President's term or the next, but we must start. We must take a step toward that end.

This bill does that. It supports not only ensuring our seniors access to quality medical services but also ensures that we, again, adopt the policy that brought us \$5.6 trillion in surplus.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Parliamentary inquiry.

The SPEAKER pro tempore (Mr. SALAZAR). The gentleman will state his parliamentary inquiry.

Mr. BARTON of Texas. Under the rules that we operate where we alternate back and forth, is it allowable for myself to make a rebuttal and then recognize the gentleman from Indiana? Or do I have to do one or the other?

The SPEAKER pro tempore. The Chair may exercise his discretion in recognition in that fashion.

Mr. BARTON of Texas. I am going to recognize myself for 1 minute to comment on my friend from Maryland's comments. Then hopefully the Chair will let me recognize the gentleman from Indiana (Mr. PENCE) for 3 minutes.

Mr. Speaker, first of all, under Republican control, every bill that we brought to the floor, except one bill, was paid for either in that bill or in our budget resolution. There was one exception to that where we did not pay for it. So that is answer number one. Answer number two, this is not paid for. Under a bill that my friends in the majority passed in July, they say we're going to start pay-for, but it doesn't count for the doctors fix, it doesn't count for the alternative minimum tax, and it doesn't count for the estate tax.

But once we do all that without paying for it, then the pay for will kick in. So in that sense, my good friend from Maryland is accurate. But in the sense of this bill, he is totally inaccurate. This bill is not paid for.

Now, Mr. Speaker, if I am allowed to, I yield 3 minutes to my good friend from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the gentleman for yielding and for his leadership on this critical issue.

Mr. Speaker, I rise in opposition to H.R. 3961, which, rightly understood, is just the latest deficit-spending bill championed by my Democrat colleagues here on Capitol Hill. It is, in a very real sense, an addendum to the government takeover of health care that was rammed through this House just 2 short weeks ago with a pricetag in excess of \$1.3 trillion.

You know, the President of the United States just said in China, If we keep adding to the debt even in the midst of this recovery, people could lose confidence in the U.S. economy. Maybe it would help if the President said that in America instead of China. Then maybe his party would get the message. Two days ago, we learned the national debt just pushed past \$12 trillion. That means every man, woman and child in this country bears the burden of more than \$38,000 in Federal Government debt.

In October alone, the deficit reached \$176.4 billion and now comes one more deficit-spending bill to facilitate passage of a government takeover of health care. Under the guise of helping

doctors and seniors, this will cost the taxpayers of future generations \$200 billion, and it all goes straight to deficits and debt. One analysis by the Heritage Foundation estimates the cost of this bill over 75 years at nearly \$2 trillion, and Medicare premiums are estimated to increase by some \$50 billion.

It seems there is no level of spending and debt that Washington Democrats aren't willing to pile on struggling families and future generations. We're here today considering this latest deficit-spending bill because Democrat leaders refuse to address health care reform in a fiscally responsible way. It is worth noting that this so-called doctors fix was a part of earlier versions of health care reform, but to perpetrate the fiction that their government takeover of health care was passed in a fiscally responsible way, we are doing this addendum to the Pelosi health care bill.

The truth is, the spending policies of this Congress and this administration are a fiscal timebomb being placed on the doorstep of our children's future. We have a responsibility to put our fiscal house in order. But sadly, there are those who would rather pursue an ambitious liberal agenda, no matter what the cost, at the possible expense of our children's posterity and prosperity.

There is a Republican plan which we support. It will fix the problem that we are trying to address over the next 4 years. It will pay for the bill. It will lay the groundwork for meaningful health care reform by ending an era of defensive medicine. I just hasten to repeat, this is just one more deficit-spending bill in an era when the American people are bone weary of runaway Federal spending.

Frankly, when Republicans were in control, we did our share of deficit spending, and the American people showed us the door. What we have here in Washington, D.C., as evidence today, is runaway Federal spending on steroids. You know, there is a rule back in Indiana, where I grew up. When you are in a hole, stop digging. Today we're going to dig the hole of the deficit even deeper, and the American people deserve better.

I urge my colleagues to oppose this measure and support the Republican plan.

Mr. WAXMAN. Mr. Speaker, I yield myself 1 minute.

I do want the American people to understand the Republican position, because this is what they would do to Medicare. If we didn't have health reform, we still have to deal with the problem we are having with Medicare, where millions of seniors are relying on that program. And if they produce a 20 percent cut in physician fees, the people in Medicare will not be able to get access to doctors. That means that if we don't deal with the whole health care system and hold down the costs, and we don't do health reform, Medicare will face deeper and deeper cuts, and the Republicans are giving a clear

indication of that's exactly what they would do.

Mr. Speaker, I yield 2 minutes to our champion on health reform, the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I rise as a proud supporter of H.R. 3961, and I urge my colleagues to join me in supporting it. H.R. 3961 fulfills a promise to our doctors that they're going to be appropriately paid for their services, and it assures that Medicare will continue to be available to provide services for our seniors.

In my home State of Michigan, this bill will prevent a loss of \$610 million next year for the care of elderly and disabled patients. On average, H.R. 3961 will prevent cuts of \$23,000 to each Michigan physician next year. Our Republican colleagues would have us think that this is a gimmick. What this legislation does is do away with a gimmick. I would remind my colleagues that H.R. 3961 solves a problem that's plagued the Congress since 2002 and actually ends a budget gimmick that artificially reduces the deficit by assuming that physician payments will be cut by 40 percent over the next several years, even though the Congress consistently intervenes to prevent those cuts from occurring.

Due to our failure to fix this problem permanently, the price tag has grown each year and will continue to do so. In 2005, the cost of fixing the problem was \$48 billion. Today, just 4 years later, the cost has skyrocketed to \$210 billion. We can no longer kick the can down the road. That is fiscally responsible. So today the choice is clear: Either we're going to be serious about protecting our seniors and protecting Medicare by providing a fiscally responsible, permanent fix to our perennial problems or we're going to play political games.

I urge my colleagues to choose the former. Vote in favor of H.R. 3961. Vote for fair treatment for our doctors. Vote to make Medicare payments available for doctors and for seniors. And make sure by so voting that you will have a situation where our doctors will be available to provide service for our senior citizens.

Mr. BARTON of Texas. I yield 1 minute to the gentleman from Kentucky (Mr. WHITFIELD), a member of the Health Subcommittee.

Mr. WHITFIELD. There is certainly enough blame to go around for both parties in the U.S. Congress as far as the debt is concerned. I have heard a lot of discussion today about being concerned about senior citizens having access to Medicare, and yet the health care bill that passed this House takes \$500 billion out of Medicare. We've heard a lot about the PAYGO rules. In the 110th Congress, the PAYGO rules were waived 12 times for almost \$500 billion.

As I have said, both parties have a lot of blame for the debt that we're in,

and the American people want us to be responsible. We have a \$12 trillion debt today. Within 10 years, it's supposed to be \$23 trillion. At some point, we have to meet our obligation, meet our responsibility and try to pay for some of these programs. All of us support the purpose of this legislation, but there must be a way that we can do it and have it paid for. So for that reason, I would have great difficulty voting for this legislation without it being clearly paid for.

□ 1415

Mr. WAXMAN. Mr. Speaker, I am pleased at this time to yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the chairman of the Health Subcommittee of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, I respect my Republican colleagues, but I think they are suffering from a severe case of amnesia when I listen to what they are saying on the other side. It was they who contributed to this problem in the first place. It was they who stuck their heads in the sand year after year and refused to enact any kind of meaningful reform. They talk about pay-for. They never paid for anything. They just kicked the can down the road and said, Okay, we won't have a cut this year but we will have a larger cut next year. If this continues, we will have a 40 percent cut in the reimbursement rate in the next 2 years. So there is no pay-for on their side. There never has been. It is just a budget gimmick.

Now this year, we have a permanent solution to the problem, and we are saying enough is enough with the threat of severe payment cuts that will drive physicians from Medicare and put beneficiaries' access to doctors in jeopardy.

Mr. Speaker, this legislation is an important element of our overall effort to improve Medicare for seniors. We have done a lot in health care reform. Two weeks ago we passed comprehensive health reform that made critical investments in Medicare. Amongst those, we closed the doughnut hole, thereby making prescription drugs more affordable. We improve access to preventative, primary, and coordinated care, and we increased financial assistance so that low-income seniors can better afford their monthly premiums.

We are helping seniors with this bill today by making them have a choice of physicians and quality physicians. We are helping them with the doughnut hole. We are helping them with everything with this larger health care reform.

I would just ask my Republican colleagues, don't kick the can down the road again. Don't give us all these budget gimmicks again. This is a real solution to the problem. Join us. Make this a bipartisan effort today, and let's pass this comprehensive reform.

Mr. BARTON of Texas. I yield myself 1 minute.

I would ask the distinguished chairman of the Health Subcommittee:

Where is the fix? There is no fix in this bill.

They split one formula into two, but there is no reform in it. It is not based on medical expenses. It is not based on anything. There is no automatic reduction. It simply erases the current deficit in the account, has two formulas instead of one, and then 4 or 5 years from now, we will kick the can down the road again.

If there really is a fix, let's have somebody on the majority side explain it. You can't explain it because it is not there.

I yield 1 minute to a member of the Health Subcommittee, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as a medical practitioner, one of 13 on the Republican side, in strong opposition to H.R. 3961. H.R. 3961 does not fix our physician reimbursement problem. It simply replaces one system of cuts with another. The bill, however, would add more than \$200 billion to the Federal deficit at a time when our patients are struggling to find or keep the jobs they have today.

Mr. Speaker, if the details of this bill are not bad enough, the political reality is even worse. The Senate tried a similar sham of a bill last month, and 13 Senate Democrats sided with every Republican to reject it; however, House Democrats don't seem to be listening.

The time for empty promises has long since passed. We as a Nation can no longer afford to walk blindly down this path of fiscal irresponsibility. As mentioned, with \$12 trillion in debt, I, for one, refuse to add another quarter trillion dollars to that debt.

I urge my colleagues to vote against this empty promise.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield 2 minutes to the chairman of the House Budget Committee, the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I was here at the creation of the sustainable growth rate formula. It was part of the balanced budget agreement of 1997. I am here today to say that the SGR has not worked.

Here is the problem MedPAC presented to us in 1997:

In year 2, when we sought to curb or cut Medicare rates, volume increases in year 2 tended to make up the difference due to reduced rates.

In year 3, therefore, an automatic adjustment factor or formula was needed to target and recoup excess payments. Sound complicated? Well, that is a simple version. Suffice it to say, the SGR has proven to be so complex, so blunt an instrument, and so draconian that it has barely been used.

For example, in 2008, we reversed a 10.6 percent decrease in physicians' rates and replaced it with a 1.1 percent increase. In 2010, the SGR dictates a 21 percent cut in physicians' payment rates. You and I know that is not going to happen.

By assuming that the SGR will be applied, when we know it has not been applied, and is unlikely to be followed in the future, Medicare spending is substantially understated. CBO says that the rewrite of SGR now before us will result in a net spending increase of \$210 billion over 10 years. The CBO has to assume that the SGR will be strictly applied in each of those 10 years. CBO is bound by its rule of projecting the budget; we are not. We know that the SGR is unlikely to be applied, and so the right step, straightforward step, is to pass this bill and change the SGR, not by wiping it out, but by replacing it with an updated formula that is realistic and likely to be used.

The bill before us reflects two agreements that are in the budget resolution for this year. One is to strengthen fiscal responsibility by enacting a statutory pay-as-you-go rule. The other is to institute realistic budgeting by changing this flawed formula called the sustainable growth rate factor.

The budget resolution allows the budget effects of changing the SGR to be calculated against a realistic baseline, one that reflects current policy. This means the baseline assuming the payment rates in effect for physicians in 2009 will stay in effect through 2019.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman an additional 1 minute.

Mr. SPRATT. This baseline assumption represents a realistic benchmark against which to measure the fiscal effects of legislation reforming Medicare's physician payment system. Without a realistic baseline, we will revisit this issue every year, as we have in the past, by passing short-term fixes that do nothing to address the long-term problems. Without the reforms in this legislation, the budget will continue to understate the real cost to the Treasury of Medicare payments.

So now is the time to adjust the SGR. The bill before us is a constructive solution. After 6 years of short-term fixes that did little to address the underlying causes of excess cost growth, we now have the opportunity to vote for a substantive bill. This bill does not allow for uncontrolled spending growth. It provides realistic spending targets that are fair, frugal, and holds physicians accountable.

This bill does address two of the most important challenges in health care: better support for primary care and better coordination of care. It does so by, among other things, providing an extra growth allowance for primary care services. The bill also provides incentives for the creation of accountable care organizations which encourage providers to improve quality and control costs by coordination among all providers serving a patient. This is the type of structural reform we need.

This is a good bill. I urge its support. Mr. BARTON of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, you know, we are still hearing blame for Bush and blame for the Republican-controlled House from the Democrats. The Speaker of the House has been a Democrat for right at 3 years now. It is time to take responsibility. We keep hearing that word "responsibility." This is a good time to take it.

Now, we heard about the PAYGO rules that were passed, and now it is going to be PAYGO. And I tell you what, it didn't apply. It wasn't used like it should have been. And then in July, some of my Democratic colleagues convinced me that, you know what, we are really, really, really serious this time about PAYGO. Just vote with us. We'll show you how serious we are. I was one of 24 Republicans that voted for the PAYGO bill. But then we find out, no, no, no, this time we are really, really, really, really serious about PAYGO if you'll just pass it again this time. Come on now.

The docs do need a fix, but we don't need lectures on this side about the seniors not needing cuts when the bill that is before the House, that passed the House, is going to cut Medicare \$400 billion or so.

Let's fix the problem for the doctors permanently. They deserve that. Let's not stockpile more debt on our grandchildren irresponsibly. We can do it, but this is not a permanent fix as some have said; otherwise, it wouldn't have a year limitation on it. Let's do the right thing by seniors, by doctors and our grandchildren and vote this one down and really, really, really get serious about PAYGO.

Mr. WAXMAN. Mr. Speaker, I am pleased at this time to yield 1 minute to the gentleman from New York (Mr. ENGEL), an important member of our committee.

Mr. ENGEL. I thank my friend for yielding to me.

You know, it is always amazing to me when my Republican friends lecture us about debt or fiscal responsibility when they were in the majority here for 12 years, and for six of those years they did nothing to stop the debt. They did nothing to balance the budget. And now we get lectured.

But I rise in strong support of the Medicare Physician Payment Reform Act, a key component of comprehensive health insurance reform. It is providing our seniors with stable access to their trusted health care providers.

Each year, due to a flawed Medicare payment policy, our physicians face mounting cuts which threaten their ability to care for the patients that depend on them, and at the 11th hour, we have done a short-term patch each and every year. It is not a good way to run Medicare. This year we are doing it differently. We are ending that. Not only will we eliminate the scheduled 21 percent reduction, but we will replace the flawed sustainable growth rate formula which is responsible for these annual cuts with a more rational payment system.

By doing so, we will preserve access to care and provide physicians with the financial stability they need. The 11th hour is not a way to do it. Our physicians face these mounting cuts, threatening their ability. This is the best way to go about it.

I urge my colleagues to support the bill.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 1 minute.

Since my friends on the Democrat side won't explain their procedure, their bill, I am going to try and do it, and if I am wrong, I am sure that they will correct me.

Current law, we have one SGR formula. It is based on GDP and inflation. It is not based on any kind of medical index. Whatever that is perceived to be each year, that is the amount of increase we can pay our physicians. All physicians get the same increase.

Under this bill, they say if you are a primary care doctor, you get the formula plus 2 percent. If you are a specialist, you get the formula plus 1 percent, but they don't change the formula. The formula is the same as it is under the current law, and they don't change the enforcement mechanism. The enforcement mechanism is the same as it is under current law; i.e., Congress has to vote to either accept the cuts or to not accept the cuts and provide a temporary fix. As I understand it, that is their fix. Now, if I am wrong in that, I want my friend Mr. WAXMAN or Mr. PALLONE or Mr. RANGEL or Mr. STARK to tell me how I am wrong.

Mr. WAXMAN. Mr. Speaker, I am pleased at this time to yield 1 minute to the gentleman from Maryland (Mr. SARBANES), a member of the Energy and Commerce Committee and the Health Subcommittee.

Mr. SARBANES. Mr. Speaker, I thank the chairman for yielding me this time.

I just want to say to all of the seniors in my district and seniors across the country who have expressed anxiety over the last few months, and really for longer than that, that this physician payment cut would go into effect, that we heard what you were saying and we will take action today. Many of you are concerned because your doctors have been telling you that this payment cut is coming. Frankly, these physicians don't feel they are treated as professionals when we jerk them around at the end of a string every year. That is why we want to permanently fix this problem.

We make sure that physicians are reimbursed properly and fairly so they will have an incentive to remain in the Medicare program, and that way there will be a good, robust supply of physicians to serve the Medicare population. That is why we are doing this today.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY), a member of the Energy and Commerce Committee.

Mr. TERRY. Mr. Speaker, I don't think there is really any debate wheth-

er on one side or the other. This side supports a permanent fix to SGR. The argument here today, and the dispute here today is that we have, what, \$270 billion that is not being paid for or offset properly.

If we are going to be about fiscal responsibility and protecting the future of our kids by not piling on deficit and then debt onto them, this is where the buck stops, literally, here today is that we need to pay for this, not just put it to the deficit and the debt.

But I keep hearing the talk about seniors here. We want to make sure that they have complete access to their health care, but I have to point out the irony that at 11, 11:30 a week ago last Saturday, they took a vote to cut half a trillion dollars out of Medicare and move it to a new plan away from seniors. I think we need to talk about the irony here and who is really standing up for the seniors.

□ 1430

Mr. WAXMAN. Mr. Speaker, I yield myself 1 minute.

I want to point out to my colleagues while we're blaming each other on a partisan basis that the reason we got into this situation is in 1997 with a Republican Congress and a Democratic President, there was a so-called balanced budget proposal adopted, and the way it was funded for tax cuts was to make future cuts in Medicare, especially in the physician payment side. We are paying the price of that poorly thought-through approach, which was the reason I voted against that bill in 1997.

The gentleman from Texas made some points about the situation we're in. What he did not point out is that this bill is part of a comprehensive improvement in our health care system. It would reward primary care. It would provide for accountability care organizations, which would be a better delivery mechanism. This ought to be looked at in a more comprehensive way.

That's why I'm pleased to support this bill today and the health care reform bill that the House passed a week or so ago, and we hope to complete our actions with the Senate later this year.

Mr. Speaker, I yield the balance of my time to the Ways and Means Committee chairman, the gentleman from New York (Mr. RANGEL), and I ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3961.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the distinguished minority leader from the great State of Ohio (Mr. BOEHNER).

Mr. BOEHNER. I thank my colleague for yielding.

I tell my colleagues that during this debate over health care that's gone on for most of this year, Republicans have been listening to the American people; and what the American people want is they want to lower the cost of health care so that it's more affordable for more Americans.

When it comes to this issue of fixing the doctors' payment reimbursement system in Medicare, there's no dispute on either side of the aisle about the need to address it. Republicans addressed it when we were in the majority; and when we did, we made sure that there were offsets in spending elsewhere or some other types of revenue to make sure that it was paid for and not added to the budget deficit.

The issue here is twofold. One is that the proposal will not fix the problems that docs have in terms of their reimbursements down the road. It's a flawed formula that is not eliminated in this proposal. Secondly, it's going to add some \$250 billion worth of debt put onto the backs of our kids and grandkids.

Now, I have listened to Democrats. The President, the President's Chief of Staff, Democrat leaders over the last couple of weeks talk about the fact that we need to do something about the budget deficit. Well, give me a break. Why don't we start right now. Right now and say that we're not going to do this, that we're not going to pass this bill that has no chance of becoming law. The Senate has already rejected it.

Why don't we just work together to come up with something that we can afford to cover the next 2, 3, 4 years so the doctors will have some idea of what their payments will be from us and get serious about working together for a long-term fix that doesn't put this responsibility on the backs of our kids and our grandkids.

That's the real issue here, the fact that there is no pay-for here. There is no offsetting other types of spending. There are no increases in revenue somewhere to cover this. It's just going to be dumped onto the backs of our kids and grandkids.

The American people want us to relearn fiscal responsibility. My colleagues on my side of the aisle over the course of this year have stood up, I believe, for fiscal responsibility. And if we're going to get our economy going again, we'd better get our fiscal house in order as well.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3961, and I feel so proud that the Ways and Means Committee was able to make a contribution with the other two committees, Education and Labor as well as Energy and Commerce, to

bring the John Dingell medical reform bill before this House and before this country.

What it does, really, is a new way to provide health care that is perfected in such a way that the patients are able to get medical care before they become patients, have preventative care, to provide for new doctors to be able to be made, and to get rid of a flawed physician payment system that, indeed, will strengthen the Medicare program.

At the end of the day when you hear the opposition, most all of their comments are going to be negative and saying "no." Even when we make our case as to why we should fulfill our obligation to the doctors, they will make some decisions here, procedure decisions, which my friend Mr. BARTON gets fed up with, but I assume he will be leading the race and saying that there should be a way to resubmit this bill to the committees to do something all over again.

If that is the case, I am certain that the American Medical Association as well as the older people and those people who need these doctors will not have to fear anything because their answer to this will be rejected, and once again we will be able to fulfill the promise that we made with the health bill by making certain they have doctors in order to support it.

At this time, Mr. Speaker, I yield the balance of my time to Chairman PETE STARK, who has made such an important contribution over the years to reform our health system, and I ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, could I inquire as to how much time I still control, please.

The SPEAKER pro tempore. The gentleman has 3 minutes remaining.

Mr. BARTON of Texas. I want to yield 1 of those 3 minutes to the gentleman from Nashville, Tennessee, a member of the Energy and Commerce Committee, Congresswoman MARSHA BLACKBURN.

Mrs. BLACKBURN. I thank the gentleman from Texas for yielding.

Mr. Speaker, I would remind my colleagues here in the House that we know something is wrong with the piece of legislation when you have major media outlets talking about how off-track this is, and you also know something's wrong with it when you have our colleagues in the Senate who take up a bill, this bill, and they can't get to 50 votes in the Senate for the companion legislation. So it is with a real sense of regret that I think many of us look at this.

Does the standard growth rate, SGR, need to be fixed? Absolutely. And there is agreement on that. It is an issue out of fairness to our Nation's physicians, the providers of health care. It is an issue of fairness to our Nation's seniors.

Mr. Speaker, I think it has been really something that has been of concern to us as we have watched some of our colleagues in this House treat Medicare as a slush fund rather than recognizing that it is a trust fund and it's there for those seniors. We can do better. Our seniors and our physicians deserve better.

Mr. STARK. Mr. Speaker, I yield myself 3 minutes.

(Mr. STARK asked and was given permission to revise and extend his remarks.)

Mr. STARK. Mr. Speaker, I would like to place in the RECORD a letter from the American Medical Association and a list of over 150 supporters of H.R. 3961, among which are the American College of Obstetricians and Gynecologists, the Iowa Medical Society, the Texas Medical Society, all of whom I think place Hippocrates ahead of Sarah Palin in terms of their assessment of what should be done.

I would further begin in addressing my dear friend from Texas in some of his inquiry earlier by quoting from the ranking member of the Health Subcommittee on the Ways and Means Committee back last July when he said he believed Members on both sides of the aisle agree that there is a need for a long-term fix for the Medicare physician payment. All 15 members, Republican members, of the Ways and Means Committee voted basically for the fix we're talking about today.

Let me make no mistake about blame and where we are. It may come as a surprise to our side of the aisle we make mistakes. In 1997 we made a mistake in setting the formula by which we would automatically limit the increase that doctors get paid. Well, we're here today trying to correct that mistake.

You've said so, correctly, that it's the same formula plus 2 percent for primary care, 1 percent for other physicians, some other plans to help encourage primary care doctors to come into practice. Hopefully, we've done it right, and recognizing if we don't correct it, we're talking about hundreds of billions of dollars by postponing. So we have postponed, whether on either side of the aisle, we have postponed correcting a mistake that we should have done earlier.

That's where we are today. No place else. And I hope that we can get the continued support to do that. I hope we don't have to come back and keep addressing it. I see not correcting it increases the amount we will have to pay in the future.

So there is plenty of blame, as the gentleman suggested, to go around. We could have fought harder to correct it earlier. We didn't and that's where we are today.

Literally every major medical society in the country has suggested that we do it this way, and I urge my colleagues to join with me, hopefully with my 15 colleagues on the Ways and Means Committee who haven't changed

their mind, and support H.R. 3961 today so we can put this behind us. Then we can go on and have some really spirited debate about whether they do a better job in Texas or California of reforming medical care. That will be more fun.

But today let's fix this. Pass H.R. 3961, go home and have a wonderful Thanksgiving holiday, and come back to work on health care reform.

AMERICAN MEDICAL ASSOCIATION,

Chicago, IL, November 19, 2009.

Hon. DAVE CAMP,

Ranking Member, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE CAMP: Thank you for your letter of November 18, 2009, regarding the pending Congressional consideration of H.R. 3961, the Medicare Physician Payment Reform Act of 2009. We appreciate your agreement that having physicians face annual cuts due to the flawed SGR is unacceptable and your support for the intent of the legislation. As you know, it is the same policy supported by every Republican on the Ways and Means Committee during the mark-up of H.R. 3200.

We are disappointed, however, that you and your colleagues do not support the bill. As you know, the SGR was put into place by the Balanced Budget Act of 1997, which originated in your committee. At that time, the AMA wrote numerous letters to Speaker Gingrich and your committee leadership warning that limiting growth in physician services to GDP would inevitably lead to sharp cuts in physician reimbursement and a crisis in access to care for our nation's seniors. Previously we had supported legislation that would have allowed growth at a rate above GDP.

As predicted, the SGR did result in a 4.8% cut to physicians for the year 2002. Congress declined to intervene and that cut went into effect. In subsequent years, Congress did step in to prevent additional cuts from occurring. The Consolidated Appropriations Resolution of 2003, the Medicare Modernization Act of 2003, the Deficit Reduction Act of 2005, the Tax Relief and Health Care Act of 2006, the Medicare, Medicaid, and SCHIP Extension Act of 2007, and the Medicare Improvement for Patients and Providers Act of 2008 each provided temporary relief for seniors and their physicians from pending cuts.

What these bills did not do, however, was make any progress toward fixing the problem. Instead, Congress fell into a comfortable rhythm of kicking the can down the road and putting off real reform to some unspecified point in the future. In 2005, physicians faced a cut of 3.3% which was averted by the MMA. At that time, the Congressional Budget Office reported that the cost of just a ten-year freeze in physician rates was \$48.6 billion. Just four years later, the pending cut stood at 21.5% and the cost of a ten year freeze stood at \$285 billion. The AMA believes that this cycle must come to an end. Anything short of permanent reform will not be supported by the AMA. Every year that Congress "pays-for" a temporary solution, the cost of permanent reform climbs higher still. These are obligations to our seniors which the Medicare program has already made. To pretend that they will not be incurred is unrealistic. To continue to grow the size of the problem is irresponsible.

As for the implication that the recent action by the Administration to remove drugs from the SGR are "budget gimmicks to hide the true deficit impact," we are reminded of a letter you signed on May 21, 2004, to the Bush administration calling the policy of including drugs in the formula "our greatest concern" regarding the magnitude of the

SGR problem. That letter was also signed by other members of your committee. On June 16, 2004, Representative Cantor sent a similar letter with Representative Pryce urging that CMS "remove prescription drug expenditures from the Sustainable Growth Rate (SGR) determination."

The Congressional Record is replete with statements by members from both sides of the aisle calling for permanent reform. What is missing, however, is the result. The record shows temporary patches and a ballooning problem.

The AMA does not support any motion to recommit that would have a temporary fix. How steep will cuts be after those four years? How many hundreds of billions of dollars will it then cost to fix this problem? Medical liability reform remains among the highest priorities of the AMA and all physicians. However, when Republicans controlled both chambers of Congress and the White House, capping damages could not be accomplished. We fail to see why you believe it is possible today. With less than seven weeks before Medicare rates are cut more than 21%, we need solutions that can be achieved quickly.

This should not be a partisan issue. Both sides of the aisle have professed a desire to permanently address this issue. The opportunity to advance permanent reform through passage of H.R. 3961 cannot be missed. We urge all members to vote for H.R. 3961.

Sincerely,

J. JAMES ROHACK.

H.R. 3961 is supported by a wide range of organizations representing patients, doctors and other providers, including: AARP; Air Force Association; Air Force Sergeants Association; Air Force Women Officers Association; Alliance for Retired Americans; AMDA—Dedicated to Long Term Care Medicine; American Academy of Allergy, Asthma and Immunology; American Academy of Child and Adolescent Psychiatry; American Academy of Cosmetic Surgery; American Academy of Dermatology Association; American Academy of Facial Plastic and Reconstructive Surgery; American Academy of Family Physicians; American Academy of Hospice and Palliative Medicine; American Academy of Neurology Professional Association.

American Academy of Ophthalmology; American Academy of Pain Medicine; American Academy of Pediatrics; American Academy of Sleep Medicine; American Association of Clinical Urologists; American Association of Hip and Knee Surgeons; American Association of Neurological Surgeons; American Association of Neuromuscular and Electrodiagnostic Medicine; American Association of Orthopaedic Surgeons; American College of Allergy, Asthma and Immunology; American College of Cardiology; American College of Chest Physicians; American College of Emergency Physicians; American College of Gastroenterology.

American College of Obstetricians and Gynecologists; American College of Osteopathic Internists; American College of Osteopathic Surgeons; American College of Physicians; American College of Radiation Oncology; American College of Radiology; American College of Rheumatology; American College of Surgeons; American Gastroenterological Association; American Geriatrics Society; American Logistics Association; American Medical Association; American Medical Group Association; American Osteopathic Academy of Orthopedics; American Osteopathic Association.

American Psychiatric Association; American Society for Clinical Pathology; American Society for Gastrointestinal Endoscopy; American Society for Metabolic and Bariatric Surgery; American Society for Ra-

diation Oncology; American Society for Reproductive Medicine; American Society for Surgery of the Hand; American Society of Addiction Medicine; American Society of Anesthesiologists; American Society of Cataract and Refractive Surgery; American Society of Clinical Oncology; American Society of Hematology; American Society of Nephrology; American Society of Ophthalmic Plastic and Reconstructive Surgery; American Society of Plastic Surgeons.

American Society of Transplant Surgeons; American Thoracic Society; American Urological Association; AMVETS; Arizona Medical Association; Arkansas Medical Society; Army Aviation Association of America; Association of American Medical Colleges; Association of Military Surgeons of the United States; Association of the United States Army; Association of the United States Navy; California Medical Association; Chief Warrant Officer and Warrant Officer Association of the U.S. Coast Guard; College of American Pathologists; Colorado Medical Society.

Commissioned Officers Association of the U.S. Public Health Service, Inc.; Congress of Neurological Surgeons; Connecticut State Medical Society; Contact Lens Association of Ophthalmologists; Emergency Department Practice Management Association; Enlisted Association of the National Guard of the United States; Fleet Reserve Association; Florida Medical Association Inc.; Gold Star Wives of America; Hawaii Medical Association; Heart Rhythm Society; Idaho Medical Association; Illinois State Medical Society; Indiana State Medical Association; Infectious Diseases Society of America.

International Society for Clinical Densitometry; International Spine Intervention Society; Iowa Medical Society; Iraq and Afghanistan Veterans of America; Jewish War Veterans of the United States of America; Joint Council of Allergy, Asthma and Immunology; Kansas Medical Society; Kentucky Medical Association; Louisiana State Medical Society; Maine Medical Association; Marine Corps League; Marine Corps Reserve Association; Massachusetts Medical Society; MedChi, The Maryland State Medical Society; Medical Association of Georgia.

Medical Association of the State of Alabama; Medical Group Management Association; Medical Society of Delaware; Medical Society of the District of Columbia; Medical Society of the State of New York; Medical Society of Virginia; Michigan State Medical Society; Military Chaplains Association of the United States of America; Military Officers Association of America; Military Order of the Purple Heart; Minnesota Medical Association; Mississippi State Medical Association; Missouri State Medical Association; Montana Medical Association; National Association for Uniformed Services.

National Committee to Preserve Social Security and Medicare; National Guard Association of the United States; National Medical Association; National Military Family Association; National Order of Battlefield Commissions; Naval Enlisted Reserve Association; Nebraska Medical Association; Nevada State Medical Association; New Hampshire Medical Society; New Mexico Medical Society; Non Commissioned Officers Association; North Carolina Medical Society; North Dakota Medical Association; Ohio State Medical Association; Oklahoma State Medical Association.

Oregon Medical Association; Pennsylvania Medical Society; Renal Physicians Association; Reserve Enlisted Association; Reserve Officers Association; Rhode Island Medical Society; Society for Cardiovascular Angiography and Interventions; Society for Maternal-Fetal Medicine; Society for Vascular Surgery; Society of Critical Care Medi-

cine; Society of Gastrointestinal and Endoscopic Surgeons; Society of Gynecologic Oncologists; Society of Hospital Medicine; Society of Interventional Radiology; Society of Medical Consultants to the Armed Forces.

South Carolina Medical Association; South Dakota State Medical Association; Tennessee Medical Association; Texas Medical Association; The Endocrine Society; The Retired Enlisted Association; The Society of Thoracic Surgeons; United States Army Warrant Officers Association; USCG Chief Petty Officers Association; Utah Medical Association; Vermont Medical Society; Veterans of Foreign Wars; Washington State Medical Association; West Virginia State Medical Association; Wisconsin Medical Society; Wyoming Medical Society.

Mr. Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members on both sides of the aisle to direct their remarks to the Chair.

Mr. BARTON of Texas. Mr. Speaker, I'm not used to dealing with a warm and fuzzy PETE STARK. I have to admit that was a very good speech.

Mr. Speaker, I yield 1 minute to my good friend from Michigan from the Energy and Commerce Committee, Mr. ROGERS.

Mr. ROGERS of Michigan. Mr. Speaker, the SGR fix is incredibly important, but this approach is disingenuous at best. Let's go back quickly.

In 2008 the Medicare Improvement for Patient and Providers Act, sponsored by my friends on the other side of the aisle, had a 21 percent cut to go into effect for doctors this year. Your bill, your issue, your 21 percent. And you come here today knowing full well this bill will go nowhere.

Why this is disingenuous is because 2 weeks ago, you added about 16 million people to Medicaid that shorts doctors hundreds of millions of dollars in reimbursement every single year. And, oh, by the way, you tax doctors, and everything in their operation; their costs go up. And here's the thing: you cut a half trillion dollars out of Medicare, hospitals, home health services, nursing homes, hospice care. You cut Medicare a half trillion dollars. You know this bill will go nowhere.

This is an easy fix. Let's work together. Let's find some offsets. Let's fix it for doctors. And, by the way, let's go back and take back that money that you have cut, a half trillion dollars, out of Medicare for the lives and betterment of seniors.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members on both sides of the aisle to address their remarks to the Chair.

Mr. STARK. Mr. Speaker, at this time I'm delighted to yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. This bill is about more than the reasonable desire of physicians for reimbursement rates that cover their actual cost and fairly compensate their work. It is about access

to quality health care and your ability to choose the doctor best for you.

When accepting new Medicare patients means losing money, fewer physicians can accept new patients. In 1997, a Republican Congress enacted a payment formula that never worked, and then they kept everyone guessing year after year as to what kind of gimmick they would come up with in lieu of the next year's payment cut.

Now we have revised their flawed formula and prevented what could be up to a 40 percent cut for physicians. Our bill will not only help seniors and the disabled, but it will help many members of the active duty military and our veterans who rely on TRICARE. Our troops should never have to worry whether their family can get the care and the doctor that they need.

Instead of another Republican Band-Aid, we offer a cure for what ails the Medicare-TRICARE formula. Today is one time that the "just say no" party ought to say "yes" to good public policy, which is supported by the Texas Medical Association and medical societies across the country.

□ 1445

The SPEAKER pro tempore. The gentleman from Texas (Mr. BARTON) has 1 minute remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield myself the balance of the time.

I'd like to put into the RECORD a statement from the vice chairman of the American Medical Association on March 20, 1997, where they went on record before the Ways and Means Committee subcommittee supporting the current system. And now, I understand and I accept what Subcommittee Chairman STARK said, that mistakes have been made, and I think, in hindsight, both sides can agree that a mistake has been made.

It is my opinion, and I think most of the Republicans would share this opinion, that this is not the solution. When all you do is change which formula gets reimbursed, either primary care or specialist, but you use the same underlying formula, the same lack of enforcement, that's not, in my opinion, a fix. So respectfully, I believe that we should defeat this bill and then work together.

I do sense some bipartisanship on this floor. Let's work together to come up with a real fix. It will not be easy. It's not easy to come up with \$350 billion. It's not easy to allocate that. It's not easy to change the formula to something that more accurately reflects the costs of practicing medicine in the modern era. But, we can do it. This is not the solution. I hope we'll vote this down.

As has been pointed out, this bill isn't going anywhere in the Senate. This is an act, in my opinion, of paying off a political debt to the American Medical Association for endorsing the larger health care bill several weeks ago. Please vote "no."

STATEMENT OF THOMAS R. REARDON, M.D.,
VICE CHAIR, AMERICAN MEDICAL ASSOCIATION

Mr. Chairman, my name is Thomas R. Reardon, M.D. I am a general practitioner from Boring, Oregon, and a member of the Board of Trustees for the American Medical Association (AMA). On behalf of the 300,000 physician and medical student members of the AMA, I thank you for this opportunity to testify before the Subcommittee today regarding Medicare physician payment issues.

A wide range of experts have independently concluded that, despite Medicare's clear success in improving the health status of our elderly and disabled citizens, the program cannot be sustained without fundamental restructuring. The Hospital Insurance Trust Fund faces bankruptcy in five years or less, and Medicare's current overall expenditure growth cannot be sustained. Medicare faces a much more serious long-term problem as the "baby boom" generation ages and the number of workers paying taxes for every Medicare beneficiaries will decline from 3.9 currently to only 2.2 in the year 2030.

The high growth rates for many of the services are due to a combination of factors, including increased beneficiary demand for new services, flaws in payment rules which encourage high volume growth in some categories of service, insulation of most beneficiaries from cost considerations, and ineffective approaches to cost control. However, as the chart below indicates, physician spending growth is well below the rate for any other major sector of Medicare, and well below overall Medicare growth. The AMA is pleased that the President's 1998 budget proposal explicitly recognizes this fact.

We are also pleased that the Administration's budget supports the development of innovative provider sponsored organizations in order to offer greater choice to Medicare beneficiaries. We believe these types of options hold the promise of enhancing beneficiary choice while controlling Medicare's costs. The AMA also supports the President's investment in preventive health care to improve seniors' health status by covering colorectal screening, diabetes management, and annual mammograms without copayments, and by increasing reimbursement rates for immunizations to ensure that Medicare beneficiaries are protected from pneumonia, influenza and hepatitis.

Unfortunately, the Administration's budget primarily adopts the strategy of cutting physician and other provider payments in hopes of getting more services for less money. We believe this approach will ultimately divorce the Medicare system and its beneficiaries from the mainstream of American medical care, while postponing the major restructuring needed for Medicare's long-term survival. In the meantime, the long-term problems will only grow larger, requiring more draconian and expensive solutions.

AMA'S PROPOSAL FOR MEDICARE TRANSFORMATION

The AMA has a plan which addresses both the short and long-term problems with Medicare, while preserving the bond of trust between a patient and physician that makes medicine unique. The AMA's Transforming Medicare proposal is based on the idea of a competitive market-driven system as the best option for the future of the Medicare program because it offers more choice to senior citizens and the disabled. We must give the patient both the opportunity and the responsibility to make wise prospective choices of physician and health plan, with the reasonable opportunity to change either if they prove unsatisfactory.

Our plan would modernize traditional Medicare, eliminating the need for Medigap,

while preserving the security and quality of care beneficiaries now receive. It would create a new MediChoice option, which would provide a broad menu of health plan choices for Medicare beneficiaries to choose from, including medical savings accounts and provider sponsored organizations. And finally, it would ensure that a healthy Medicare is available for future generations. The AMA would welcome the opportunity to discuss our Transforming Medicare proposal with the Subcommittee in greater detail at an appropriate forum.

IMPROVING THE PHYSICIAN PAYMENT SYSTEM

The Administration's 1998 budget proposal targets \$5 billion in savings over five years from refinements to the Medicare physician payment schedule. In particular, the Administration proposes moving to a single conversion factor (CF) for the payment schedule, and replacing the current Medicare Volume Performance Standard (MVPS) update formula with a Sustainable Growth Rate (SGR) formula.

Under the Administration's budget proposal, the overall payment update for 1998 would be set at 1.9%, yielding an overall CF of \$36.63 in 1998. With the move to a single CF of \$36.63, surgical service payments would fall by 10.6% compared to 1997 levels, while primary care payments would increase by 2.4% and other service payments would increase by 8.2%. The payment reductions for surgical services are further exacerbated by the implementation of resource-based practice expense relative value units scheduled for 1998, as discussed below.

The AMA has consistently sought a return to a single growth standard and conversion factor for physician services. We adopted this position well before any indication of which services would benefit from multiple standards. At our Annual House of Delegates meeting in 1996, AMA policy was modified to adopt a compromise that responds to two realities. First, because moving to a single conversion factor could lead to large single year cuts for some services and specialties, we support a transition of as close to three years as possible. Second, because we also recognize that one of the purposes of a transition is to allow those who face cuts time to adjust, and that there has been "fair notice" of a shift to a single conversion factor, our House of Delegates voted that the "clock should start running" on such a transition on January 1, 1997.

In addition to moving to a single conversion factor, the AMA supports replacing the MVPS system of updating physician payments. There is widespread agreement that the current method of updating physician payments, the MVPS system, is fundamentally flawed. The Congress, the Administration, and the Physician Payment Review Commission (PPRC) have all proposed replacing the current MVPS update formula with a sustainable growth rate (SGR) formula, which uses real per capita gross domestic product (GDP) to adjust for volume and intensity.

The Administration's fiscal year 1998 budget proposes implementing an SGR formula, with the volume target in the SGR formula initially set at growth in real per-capita GDP plus one percentage point. However, the Congressional Budget Office (CBO) scoring of the proposal apparently failed to yield the targeted savings of \$5 billion in savings from the Medicare fee schedule, and the volume allowance in the SGR was reportedly reduced to GDP+0.

In general, the AMA supports implementing the SGR approach as a needed correction for the MVPS. Fundamentally, the question for policymakers is determining the level of annual spending growth for physician services that best balances patient care

needs and the federal budget. Under the current MVPS physician update formula, the projected Medicare payment level for physicians is a steep actual decline, while hospital and other provider payment rates go up, as the chart below indicates. Although these non-physician services are unlikely to see their full projected increases, their budget savings will be charged against this rising baseline, while further savings from physicians require even steeper cuts.

Budget reconciliation for Medicare should reflect the fact that physician spending is under better control than any other major Medicare segment, and that the budget baseline already assumes steep annual payment cuts. Physician practice costs, as measured by the Medicare Economic Index (MEI), continue to rise while physician reimbursement under Medicare is projected to fall. Physicians are only asking for the opportunity to have Medicare payments keep up with the costs of providing care to Medicare beneficiaries, and are willing to accept the challenge of maintaining volume growth at current low levels.

While we believe that MEI is the appropriate goal for physician updates, we understand that budgetary constraints may not presently allow for a full MEI update for physicians. Physicians are willing to do their part to put Medicare's fiscal house in order, as we have repeatedly done in the past. Physicians, who accounted for 32% of combined physician and hospital Medicare spending from 1987 to 1993, absorbed 43% of Medicare provider cuts over the same time. We would be willing to accept GDP+2 under an SGR system as a temporary measure, if there were assurances that this could be increased to cover MEI once the necessary Medicare savings were obtained. In contrast, under GDP+O as the Administration proposes, physician payments would continue to fall well below MEI, as they are projected to do under the current MVPS system.

Given a new SGR, with a realistic growth allowance, we could also support a new ceiling on positive MVPS adjustments, which would provide direct financial benefits to the federal budget if actual volume is below target. Moreover, the federal government receives a very real additional benefit—the ability to pay for the payment rates needed to maintain the viability of Medicare fee-for-service out of reduced service volume. At the same time, like the PPRC, we believe it essential to maintain the current 5% maximum payment reduction from the MEI (increased from 3% by OBRA 93) and to reject Administration proposals to lower the floor to MEI minus 8.25%.

RESOURCE-BASED PRACTICE EXPENSE

As mentioned above, many physicians face additional extreme payment reductions due to the implementation of the resource-based practice expense in 1998. The Social Security Act Amendments of 1994 requires the Health Care Financing Administration (HCFA) to implement a "resource-based" practice expense component of the Medicare fee schedule by January 1, 1998. That is, the payment for this component—which represents over 40 percent of the payment for physician services—is to be based on the actual expenses incurred in delivering each service. Currently, the practice expense allowance is derived from a formula based on the prior reasonable charge payment system.

The AMA supports resource-based practice expenses so long as they reflect actual practice expenses, but is seeking a one-year extension of the implementation date. The 1994 legislation said that HCFA should "recognize the staff, equipment, and supplies used in the provision of various medical and surgical services in various settings." HCFA con-

tracted with Abt Associates to conduct a two-part study of 3,000 physician practices expenses. When the survey was pulled back due to poor response rates, HCFA was left without adequate data to meet the intent of the law.

HCFA is relying primarily on data derived from clinical practice expert panels, or CPEPs. Early review of the recently-released CPEP findings suggest that they contain a number of errors. HCFA has even rejected certain direct costs that its expert panels found were part of the cost of surgery when doctors supply their own staff and supplies in hospital operating rooms. The AMA and medical specialties are working to identify and correct those flaws but more time is needed.

Those who want to adhere to the current January 1, 1998, deadline argue that any problems can be corrected later through a refinement process similar to the one used when new work values were implemented in 1992. The AMA believes this is an inappropriate comparison. HCFA invested nearly three times as much time and money on the design of new work values as it has spent to revise practice expense values. Whereas thousands of doctors were surveyed to come up with the work values, in the end, there was no broad survey of practice expenses. Simply put, with work values, the product being tested was much further along in the development process than is now the case with practice expense values.

Opponents of an extension also maintain that there is no point in waiting another year because the demise of the indirect cost survey shows that it will never be possible to collect this information independently. We believe that with another year, HCFA could develop alternative relative values that bear some relationship to actual practice expenses. There would be adequate time to validate and correct the CPEP data. Better indirect cost allocation methodologies could be developed and tested. Missing data could be collected, perhaps through an expansion of existing surveys.

The cuts HCFA projected in January are so extreme that they would nearly eliminate practice cost reimbursement for some procedures and specialties. Many inpatient surgical procedures and two specialties could suffer cuts of more than 80% in their practice expense values, and at least 40% in their total payments. Under HCFA's projections, payments for many surgical procedures would fall below Medicaid levels. Thus, there is good reason to fear that if Medicare makes deep cuts in its payments for complex procedures, doctors performing these services may find that they can no longer afford to accept Medicare patients.

In addition, even some of the specialties which seem relatively unscathed in HCFA's projections could actually experience significant cuts if other payers pick up the new Medicare values because the projections do not show the impact of cuts in procedures usually done on patients under age 65. To impose such deep payment cuts based on such spotty research seems certain to undermine physician support for the RBRVS.

The AMA urges Congress to: (1) extend the resource-based practice expense implementation date by one year to January 1, 1999, in order for HCFA to incorporate data on physicians' actual practice expenses into the new relative values; (2) direct HCFA to give physicians the opportunity to review the practice expense data and assumptions six months prior to issuing the proposed rule; and (3) instruct HCFA to take whatever steps may be necessary to ensure that implementation of the new values will not have a negative effect on physicians' ability to provide high quality medical services to Medicare beneficiaries.

OTHER PHYSICIAN PAYMENT ISSUES

Assistants at Surgery

The Administration is proposing to save \$400 million over the next five years by making a single payment for surgery. This means that the additional payment Medicare now makes for a physician assisting the principal surgeon in performing an operation would no longer be made. Instead, the payment amount for the operation would have to be split between the principal surgeon and the assistant at surgery. We believe this provision dangerously imposes financial disincentives for the use of an assistant at surgery. The AMA supports efforts to develop guidelines for the appropriate use of assistants at surgery, but believes that patient care should not be compromised in search of Medicare savings. The professional judgment of surgeons regarding the need for an assistant at surgery for a specific patient must be recognized, even for operations in which an assistant ordinarily may not be required. Congress has considered and rejected this proposal in the past, and we urge the Subcommittee to reject it again.

High Cost Medical Staff

The Administration proposes to reduce Medicare payments for so-called high cost hospital medical staffs. This proposal is not new. In its 1994 Annual Report to Congress, the PPRC concluded that such a "provision's disadvantages . . . outweigh its advantages." The Commission went on to note that such a provision: "may have unintended effects on physician behavior, including a shifting of admissions away from hospitals with the high-cost designation. The provision would also increase the cost and complexity [of] administering the Medicare program."

In some cases, the physicians responsible for a hospital's medical staff being designated "high cost" for a given year might simply take their patients elsewhere, leaving the remaining physicians on staff to bear the financial consequences, with potentially serious repercussions for the affected hospital. Finally, the proposal could have the effect of inappropriately reducing payments to physicians who treat a sicker patient population. In the absence of a sound methodology to measure differences in the severity of illness of the patient population being treated by the medical staff, it is too risky to put in place a formula-driven process that could inappropriately lower payments for treating patients who are more expensive to treat because they are sicker.

Centers of Excellence

The Administration proposes to expand what it calls the "Centers of Excellence" demonstration project, under which Medicare makes a bundled payment to participating entities covering both physician and facility services for selected conditions, such as coronary artery bypass operations. We are concerned that these demonstration projects do not offer a potential increase in quality and cost-effectiveness, and that these "centers of excellence" in fact emphasize cost-cutting rather than excellence. We also find the name "centers of excellence" inappropriate in that it implies that institutions participating in this payment arrangement provide higher quality services than non-participating institutions.

FRAUD AND ABUSE

The AMA strongly opposes the Administration's efforts to repeal the fraud and abuse safeguards included in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), which would eliminate the obligation of the Departments of Justice and Health and Human Services to issue advisory opinions on the anti-kickback statute, reduce the government's burden of proof for

civil monetary penalties, and repeal the risk sharing exception to the anti-kickback statute.

Fraud and abuse has no place in medical practice and the AMA is committed to setting the highest ethical standards for the profession. For those who wish to comply with the law, the incidence of misconduct can be greatly reduced by setting standards of appropriate behavior, disseminating this information widely, and designing and implementing programs to facilitate compliance. HIPAA provides new and much needed guidance by requiring HHS to establish mechanisms to modify existing safe harbors, create new safe harbors, issue advisory opinions, and issue special fraud alerts. This guidance will allow physicians, hospitals and insurers to develop efficient and effective integrated delivery systems that will benefit Medicare, Medicaid and the private health care marketplace.

In the area of civil monetary penalties (CMPs), HIPAA requires that the Inspector General establish that the physician either acted "in deliberate ignorance of the truth or falsity of the information," or acted "in reckless disregard of the truth or falsity of the information." The AMA fought long and hard to preserve this clarified standard in the face of huge opposition. This standard makes the burden of proof for imposing CMPs under HIPAA identical to the standard used in the Federal False Claims Act, and there is no reason that two enforcement tools designed to address the same fraudulent behavior should have different standards of proof. Moreover, this section provides important protection for physicians who may unwittingly engage in behavior that is impermissible.

Finally, the AMA strongly opposes the Administration's proposal to eliminate the new risk sharing exception to the anti-kickback law provided in HIPAA. The expansion of managed care in today's health care market requires additional exceptions to the anti-kickback laws so that more flexibility in marketing practices and contractual arrangements is afforded. The future of the Medicare and Medicaid programs depends upon the ability of competing plans to offer quality alternatives to the existing program. HIPAA provides a much needed exception to the anti-kickback law for certain risk-sharing arrangements which will facilitate the development of innovative and cost-effective integrated delivery systems.

CONCLUSION

Americans can no longer postpone tackling fundamental reform of the Medicare program. Failure to do so is certain to prove even more costly for the millions of Americans who expect to be able to rely on this program in the future, as well as those working Americans who are called upon to help finance it. Simplistic budget-cutting has not resulted in cost-control over recent years; on the contrary, price controls have had the perverse effect of exacerbating Medicare's fiscal crisis and severely threatening the promised access of beneficiaries to medical care.

However Medicare is reformed, it will be our overriding goal to ensure that the change not damage the essential elements of the patient-physician relationship. Above all, reform should not break the bond of trust between a patient and physician that makes medicine unique. By that we mean:

All patients must remain free to choose the physician they feel is best qualified to treat them or individually elect any restrictions on choice;

All patients, including those with chronic conditions and special health or financial needs, must have access to any needed service covered by Medicare;

No restrictions on information about treatment options and no financial incentive program can be allowed to interfere with the physician's role as patient advocate;

Both patients and physicians must have complete, easily understood information about the Medicare program, and a right to raise questions, voice grievances, and to have them responded to in a fair, effective process; and

Patients must be protected from unscrupulous or inept health plans, physicians, and other providers.

Americans who depend on the Medicare program for their medical and health care, as well as those who will rely on it in the future, should not have to worry about whether benefits promised them will be forthcoming. The AMA looks forward to working with the Subcommittee and the 105th Congress in protecting Medicare for our seniors and saving it for our children.

Mr. STARK. Mr. Speaker, I am pleased at this time to recognize a distinguished member of the Ways and Means Committee, Mr. NEAL of Massachusetts, for 1 minute.

Mr. NEAL of Massachusetts. Mr. Speaker, I rise in support of this Medicare Physician Payment Reform Act, and remind our friends on the other side that this is similar to the 2-minute drill. We do this every year. It's like the 2-minute warning in professional football. H.R. 3961 is about preserving patient choice, which is a fundamental element of our health care system, and very important to the reform measure that we passed about a week ago.

This legislation will ensure that seniors on Medicare and TRICARE across America continue to have access to care and to the physician of their choice. But conversely, this bill also provides physicians with the certainty they need and have been missing to operate their offices in a predictable way and to continue to serve Medicare patients.

It eliminates the steep payment cut scheduled for next year, a cut that, if it were allowed to happen, could reduce physician access across the country. H.R. 3961 is a good piece of legislative work. It increases payments to primary care providers for office visits, and it encourages the formation of accountable health care organizations. It goes a long way in preserving the vital patient-doctor trust contract and to strengthening that relationship.

I urge support of this legislation.

Mr. CAMP. Mr. Speaker, I yield myself 2½ minutes.

The Medicare system paying for doctors is broken. It's broken badly, and on that, I don't think there's any disagreement. The question before us today is not whether to fix the so-called "sustainable growth rate formula," but how.

Time and time again, Republicans have supported America's doctors, while always paying for a so-called doctor fix. And the fact remains true today. It's irresponsible for the Speaker to force this House to choose between protecting doctors and seniors today and protecting our children's future. The bill before us directly adds at

least \$210 billion to the deficit, plus another 50 billion in added debt payment, and as The Washington Post noted, the budget gimmicks mask the true costs, which are closer to \$300 billion. So much for health care reform not adding one dime to the deficit.

Adding insult to injury, the bill before us doesn't even solve the underlying problem with the SGR. The Democrats' new "targeted growth rate" would allow doctors to face cuts again as soon as 2011. We can and should do better by our doctors, our seniors and our children.

Republicans are offering a better alternative, a 2 percent increase in doctor and Medicare payments in each of the next 4 years that is fully paid for, primarily by implementing real medical liability reform, a proven way to cut wasteful health care spending.

It's telling that our colleagues on the other side prefer to pile up hundreds of billions of dollars in new debt on our children, instead of standing up to their friends in the trial lawyer lobby. For all of the talk about PAYGO, this bill makes a mockery of the majority's so-called commitment to fiscal responsibility. This is new spending and lots of it. It should be paid for, it must be paid for, and Republicans are offering a way to pay for it.

I reserve the balance of my time.

Mr. STARK. I'd like to recognize Mr. BLUMENAUER from Oregon for 1 minute, but pending that, I yield myself 30 seconds to respond to my distinguished colleague and ranking member of the Ways and Means Committee that we debated this back in July, and that all of us agreed and voted for the fix that we're talking about today. And I hope that we could continue that. It was done on a bipartisan basis at that time. It was probably the only part of the bill that was bipartisan, but we did all vote for it and voted for exactly what we're talking about today, and I hope we could get those votes again.

I yield to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy. This is a necessary budget adjustment, the consequence of the Republican gimmick that I voted against in 1993 because it was an artificial attempt that nobody had an expectation we were actually going to do. Indeed, every single year, except one, the Republicans blinked and kicked the can down the road.

We are facing up to the problem today in a comprehensive way, not holding doctors and their patients hostage. Health care reform actually moves us in the direction to be able to reduce costs in the long term, and I'm optimistic that what the House has already done will move us in that direction.

But whether or not reform is enacted, failure to pass this inflicts unacceptable damage on our constituents. This legislation gets us off the merry-go-round. I would strongly urge my colleagues to vote with us, my Republican friends not to vote "no," but

work with us with a strong, resounding vote of support, and then work with the Senate to adopt this reasonable long-term adjustment.

Mr. CAMP. I yield 2 minutes to the ranking member of the Health Subcommittee, the distinguished gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, while I rise today in support of reversing the devastating Medicare cuts for physicians, I also rise in opposition to passing the buck to our children and grandchildren.

Mr. Speaker, our government is facing a severe and unprecedented debt crisis. Yet, despite the President's pledge that health care legislation won't add one dime to the deficit, we're voting today on a health care bill that adds 2 trillion dimes to the debt, while piling trillions of dollars more onto Medicare's unfunded liabilities.

Mr. Speaker, the American people are tired of these budget games. Two weeks ago, 219 Members of the Democratic majority voted to cut Medicare by \$500 billion. We could have taken a fraction of those savings and kept them within Medicare to pay for this much-needed relief for physicians. It would have passed with a huge bipartisan vote. But, instead, the majority decided to raid Medicare and spend the money on a new government-run health program.

Republicans will be offering an alternative to ensure that doctors in Medicare are paid appropriately, and protect them from frivolous medical lawsuits, all without adding to the debt.

I urge the Speaker to stop the political games and allow the House to vote on our responsible solution. It's the right thing to do for our doctors, it's the right thing to do for our seniors, and it's the right thing to do for the future of our country.

Mr. STARK. Mr. Speaker, could I inquire as to the remaining time on either side?

The SPEAKER pro tempore. The gentleman from California has 7 minutes and the gentleman from Michigan has 11½ minutes.

Mr. STARK. At this time, Mr. Speaker, I'm delighted to yield 1 minute to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. First thing we have to get straight here is that the past administration masked the costs of our one-sided tax cuts in 2001 and 2003, unpaid for; masked the costs of two wars, never in the base budget; masked the costs of taking care of our returning brave soldiers. You have been the masters of masks. And now you're advising Democrats? Case closed.

Mr. Speaker, today we have the opportunity to vote on legislation for which many of us here have hoped for years, a permanent solution to the flawed Medicare physician payment formula. I implore my colleagues to set aside partisan bickering. Each year for the past 7 years, both Republican Congresses and Democratic Congresses

have stepped in to preserve seniors' access to care by preventing steep cuts to physician payments. Each year.

The sustainable solution before us today deserves bipartisan support. If we're truly serious about enacting comprehensive health reform then we will pass this vital legislation. Providing a realistic, long-term solution that embraces a legitimate effort to rein in spending while recognizing—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STARK. I yield the gentleman an additional 15 seconds.

Mr. PASCRELL. To rein in spending while recognizing the value of primary care is a necessary foundation to true reform. Without it, it's like building our house on a foundation of sand that not only jeopardizes access to care for 45 million seniors and individuals with disabilities but also has important consequences for our entire physician workforce.

Mr. CAMP. I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, unfortunately, this conversation is not about doctors. It's about a budget gimmick to try to hide the true cost of NANCY PELOSI's health care takeover. There is a right way and there is a wrong way to help our doctors get paid fairly under Medicare. But because not one dime of this bill is paid for, it forces Americans to borrow another \$279 billion from China and pass the bill of debt down to our grandchildren to pay, all to hide the cost of this health care reform in Washington.

This is irresponsible, and it's the wrong way. I support the Republican alternative. We give our doctors cost-of-living increases, but we pay for them by chasing frivolous lawsuits that drive up the costs of medicine out of our system. So we help our doctors and we help the patients at the same time.

And I want to finish with this: This Medicare, the way we pay our doctors, it's a great taste, sort of a look into the future of what happens when the government is going to run your health care decisions. Not paying doctors fairly is how Medicare rations care today, and it's the main reason seniors have difficulty finding a doctor. This is a peek into the future when Medicare makes budget decisions about your life and death medical decisions. This is the future, and it's frightening.

□ 1500

Mr. STARK. I reserve the balance of my time.

Mr. CAMP. At this time, Mr. Speaker, I yield 2 minutes to the ranking member of the Budget Committee and a distinguished member of the Ways and Means Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, there is so much irony surrounding this bill here.

First of all, everybody knows this bill is not going anywhere because the

Senate already defeated a cheaper version because it created a huge deficit.

I have a score from the Congressional Budget Office which I will insert into the RECORD that says this thing raises the deficit by \$210 billion. What's more ironic is that the majority, which put in this huge PAYGO system, has just swept it aside and decided to say, No, the CBO is wrong, this doesn't increase the deficit. It costs nothing.

Why did they do that? They did that because they're trying to pass this health care bill and suggest that it doesn't cost anything.

I have a letter from the CBO today that simply says when you merge these bills together—because they are together; in fact, this doc fix bill was in the original bill in the first place—that it raises the deficit, now and into the future. It adds more than many dimes to the deficit now and into the future. It breaks the President's pledge and promise on how health care reform will be conducted.

What is even more ironic are the doctors who are telling us to fix this—and we all want to fix this—is that we can't even bring a bill to the floor to fix it without raising the deficit. That's irony.

What I also find especially ironic are that some physicians say fix this but then create this new system, which is basically to have Medicare for everybody else. So if they think the SGR is a problem now, just wait until you see this system writ large throughout all of American health care. That is a mistake.

We should do this in a bipartisan way, fix it without cranking a huge hole in the deficit, and if the majority would have allowed us to bring a bill to do that, we could have done just that. It's cynical. We know this bill is not going anywhere. So let's get back to work and fix this problem without cranking up a huge hole in the deficit.

Mr. STARK. I yield myself 30 seconds, Mr. Speaker, just to remind the distinguished gentleman from Wisconsin that he and 14 of his colleagues voted for this bill in the Ways and Means Committee last July.

I don't mind mixing it up with the health care reform, but it's not. It's the doctor fix.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. STARK. In just a moment, yes. The important thing is that if we move this aside, we're correcting the mistake that was made. Let's forget about who made it. It was there.

Now this may not be the end-all correction, but there is no reason that we couldn't come back next year if we find that the formula doesn't work.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STARK. I will yield myself an additional 30 seconds.

If we don't do it and we do the 4-year fix that you, MIKE, suggested, or the 3-year, and then it doesn't work, we will have \$400 billion to correct.

My point is this. If we could remove it for a moment from the discussion on the overall health reform bill—which we can have a spirited discussion on—this is a technical fix which all of your members supported on a bipartisan basis.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. STARK. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. If you recall during the debate, at the time we said we should be paying for this and let's come together to find a solution to fix this without raising the deficit. This was inside of your health care bill to begin with. So it's difficult to say that these two things aren't connected.

Mr. STARK. Well, as I say, the gentleman supported it a few months ago.

At this point, Mr. Speaker, I'd like to yield 1 minute to the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman from California for yielding me the time.

I have had the fastest growing senior population in the United States for many decades in a row. My seniors need health care and they need to be able to see a doctor. But every year when we get to the end of the year, we play this ridiculous game of whether or not we're going to provide a doctors fix and be able to reimburse the doctors for seeing our senior patients under the Medicare program. And every year I receive telephone calls from doctors in the Las Vegas area telling me that if in fact they don't get reimbursed as they should, that they will not be able to continue seeing Medicare patients.

Now, short of me going to medical school so I could go home and take care of the seniors in my district when I go home on the weekends, we better figure out a way of adequately reimbursing the doctors—not doing it on a year-to-year basis which gives them an accounting nightmare—and being able to provide stability for the Medicare system so that the millions of seniors in this country that depend on the Medicare program for their health care needs to be met, that we are able to meet them. I urge that we support this bill.

Mr. CAMP. Mr. Speaker, I yield 1 minute to a distinguished member of the Ways and Means Committee, the gentlewoman from Florida (Ms. BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in opposition to the Medicare Physician Payment Reform Act.

Let me be clear. We all want to fix the flawed physician reimbursement rate. Without a fix, physicians around this country may be closing their practices and turning seniors away. This is an extremely serious matter. However, Democrats are using physicians and seniors as political pawns and playing games with people's livelihoods. It's unconscionable that the AMA traded their support for \$210 billion.

The Congressional Budget Office has said that this bill will increase Medicare part B premiums to our Nation's seniors by \$50 billion. This bill will add nearly a quarter of a trillion dollars to our Nation's exploding deficit. My constituents want to know how in God's name are we ever going to pay this debt down. I am one of the few Republicans who voted for PAYGO, and I'd like to see it being used instead of regularly waived as it is here.

This bill is fatally flawed, and I urge my colleagues to follow the lead of the Senate and reject this bill so we can work together on a solution.

Mr. STARK. Mr. Speaker, I reserve the balance of my time.

Mr. CAMP. I yield 1½ minutes to the gentleman from Illinois (Mr. ROSKAM), a distinguished member of the Ways and Means Committee.

Mr. ROSKAM. I thank the gentleman for yielding.

Can you imagine what it would be like if this House at this time took President Obama's admonition seriously? A couple days ago he said this on his trip to China:

It's important, though, to recognize that if we keep on adding to the debt, even in the midst of this recovery, that at some point people could lose confidence in the U.S. economy in a way that could actually lead to a double dip recession.

Can you imagine what would happen if this House came together and said, No, no, no, no, no. We're actually going to take this seriously. We're going to deal with this debt question, and we're going to lean into it in such a way that gives, what, a buoyancy to the American economy as opposed to continuing to drag down.

With all due respect to the majority leader when he was on the House floor a bit ago, he argued, in essence, don't worry about it because it's in the President's budget. Well, think about where that takes you. The President's budget is the problem. The President's budget doubled our national debt in 5 years and will triple that debt in 10 years, which is one of the reasons why Americans are so increasingly concerned.

Look, we all come together and we know the physicians need to be compensated fairly. We know that seniors ought not bear this burden. But why not work together to take the President's admonition seriously to take the debt question seriously and come up with a real fix?

Mr. STARK. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from California has 3¾ minutes, and the gentleman from Michigan has 5½ minutes.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. Mr. Speaker, as a physician I know directly about access

problems that our seniors are having. Clearly we must protect seniors' access to physicians of their choice. I also know directly about the flawed formula for physician reimbursement. We all want to deal with it.

What we need to do is repeal the flawed SGR formula and replace it with a more equitable reimbursement for physicians that is paid for. This bill ignores over \$200 billion in added deficit spending. It continues the same price-controlled formula for physicians. And it does not eliminate—let me repeat—it does not eliminate the tendency for physician cuts. Instead of providing a realistic, long-term solution, this bill spends borrowed money and basically increases the Medicare shortfall by \$1.9 trillion.

I urge my colleagues, let's get real about this. I urge my colleagues to vote "no" on this bill. Let's support a real solution that protects patient access to a physician of their choice. Let's support a real solution that's honest with physicians and treats them fairly, and a solution that avoids massive debt passed on to our children and grandchildren.

Vote "no" on this bill.

Mr. STARK. I yield myself such time as I may consume, Mr. Speaker, to remind my distinguished friend from Louisiana that the American College of Cardiology, the Louisiana Medical Association, and most every medical association in the United States has endorsed the legislation.

I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Mr. RYAN of Wisconsin. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. RYAN of Wisconsin. Mr. Speaker, clause 10 of rule XXI, what is known as the pay-as-you-go or PAYGO rule, provides a point of order against direct spending or revenue legislation that would increase the deficit, and the bill before us today increases the deficit by \$209.6 billion according to the Congressional Budget Office. While there is no authority to reduce the estimated cost of legislation in the rules adopted by the House at the beginning of the 111th Congress, am I correct that the House has effectively modified the application of this rule on two separate occasions with respect to its application to Medicare legislation?

The SPEAKER pro tempore. In addition to its adoption of standing rules on January 6, 2009, the House has further exercised its rulemaking authority in section 421 of the current budget resolution, Senate Concurrent Resolution 13, and in section 2 of House Resolution 665.

Mr. RYAN of Wisconsin. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. RYAN of Wisconsin. The first modification was made by the conference report on the FY 2010 budget

resolution adopted on April 29, 2009. Am I correct that the budget resolution provided authority to reduce CBO's deficit estimate of this legislation by up to \$38 billion?

The SPEAKER pro tempore. The gentleman alludes to section 421(a)(2)(A) of the budget resolution, which the Chair will not characterize. The text speaks for itself and may be addressed by Members in debate.

Mr. RYAN of Wisconsin. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. RYAN of Wisconsin. My understanding is that on July 22, in passage of that PAYGO bill, that the budget resolution was modified to allow the CBO estimate of the cost of the legislation to go up to \$284 billion which could not be counted. Am I correct that even though the Congressional Budget Office says that this bill raises the deficit by \$209.6 billion, the rule in place right now gives the chairman of the Budget Committee the ability to simply say that this costs nothing, that the score is zero.

Am I correct in saying that?

The SPEAKER pro tempore. This is not a parliamentary inquiry. Such commentary may be presented by the gentleman in his own voice by remarks in debate.

Mr. RYAN of Wisconsin. I thank the Chair.

Mr. STARK. Mr. Speaker, at this time I am pleased to yield 1½ minutes to the distinguished gentleman from North Carolina (Mr. ETHERIDGE).

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman for yielding time and for this bill.

You know, folks, Medicare is a vital lifeline for our seniors, but it's worthless if doctors can't afford to see Medicare patients. Seniors should be able to see the doctors they prefer, and fixing the doctor payment system will make sure that they have access to high quality care from people that they trust.

Countless doctors in my district have told me that they're happy to treat seniors, but they risk going out of business with current Medicare payments. We must make sure that they continue to be able to treat patients.

By fixing the doctor payment issue and including PAYGO, Congress is ending budget gimmicks and the reckless borrow-and-spend policies of the last decade.

I strongly support this bill, and I urge my colleagues to join me in strong support of our seniors and the physicians who keep them healthy.

Mr. Speaker, this bill deserves every Member's support.

Mr. CAMP. Mr. Speaker, I yield myself the balance of my time.

□ 1515

When we reviewed this debate on this physician payment formula fix, clear-

ly, this is something that we, both sides, agree needs to be addressed. But as you look at how this has evolved, initially this provision was part of the Pelosi-Obama health care bill. But when that 2,000-page bill came in at \$1 trillion, this was pulled out, and then it was made a separate bill that be will magically merged into ObamaCare as that moves over to the Senate. And we have experts who have said this provision alone, without being paid for, could add to Medicare's unfunded liability as much as \$1.9 trillion over a 75-year period. And obviously, with Medicare, we are looking at the long term. Given that there is already a \$39 trillion hole in Medicare, this ends up making a commitment that will be borne by our children and grandchildren.

We believe that we should have the opportunity to offer an alternative that would be paid for, as every alternative over the years has been. And I know the other side has cited this vote in committee. That vote was simply, in the context of full health care reform, saying that health care reform needed to be paid for and we needed to be fiscally responsible.

We think this is a very important issue. Certainly, the public has weighed in on this incredible explosion in the debt over these last few months. And we believe that it is irresponsible to bring this bill to the floor, to make us choose between doctors and seniors and our children, and we believe that an alternative that is fully paid for is the right way to go.

With that, I yield back the balance of my time.

Mr. STARK. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE) for a unanimous consent request.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Thank you very much, Mr. STARK.

I rise to support H.R. 3961 because it provides a payment for our doctors, allows seniors to keep their doctors, and is paid for.

Mr. Speaker, I am pleased to stand before you today in support of the Medicare Physician Payment Reform Act. This bill, which will finally put an end to the cycle of threats of larger and larger fee-cuts followed by short-term fixes, is long overdue. This bill will repeal a 21 percent fee reduction that currently scheduled right around the corner, January 2010.

Given the fact that Healthcare reform has been, and still is, a very lively and relevant topic over the recent months, the timing of this bill is apropos in that it is intended to make our nations healthcare system more efficient. The importance of this bill is evidenced by its widespread support from a range of organizations representing both patients and doctors, including the American Medical Association, AARP, and the American Academy of Family Physicians just to name a few. Their support shows that there has been a need for better management of the Medicare system, and this bill pre-

sents the sustainable solution that physicians and patients alike have been looking for.

Proper management of Medicare funding ensures that the Medicare system will be able to properly support the medical needs of its intended beneficiaries. This bill will help promote the use of primary care and give access to the use of primary care practitioners in Medicare and throughout the healthcare system. By providing incentives to physicians, this bill will also encourage integrated care and increased communications amongst doctors on the care of their specific patients. These improvements to the Medicare system will result in a higher quality of care and ultimately, a healthier population of patients.

With so many Americans currently uninsured or receiving inadequate healthcare, it is paramount that the funds set aside to support Medicare are used wisely to provide the best possible care for patients.

In my home state of Texas, the need for a more efficient healthcare is more prevalent now than ever. One in four Texans, about 5.7 million people, or 24.5 percent of the state's population, has no health insurance coverage. An estimated 1,339,550 Texas children—20.2 percent of Texas children—are uninsured. According to the U.S. Census Bureau, Texas has the nation's highest percentage of uninsured residents. This poses consequences for every person, business and local government in the state who bear extra costs to pay for uncompensated care. If Medicare funding is allowed to be cut or capped, the number of uninsured will grow dramatically.

I realize that we must consider budgetary concerns while we champion the push for better quality healthcare, and the Medicare Physician Payment Reform Act does just that. It was drafted with fiscal responsibility in mind. We want to protect both the medical and fiscal health of our people and this bill takes steps to do just that. The cost of the bill is already included in the House-passed and President's budgets. This money represents the ongoing care and maintenance of the Medicare program. The legislation fully complies with the House-passed PAYGO requirements because the PAYGO legislation explicitly accommodates physician reform legislation that is designed to maintain current spending. As such, the bill, while it contains new reforms, represents continuation of an existing policy rather than new spending. H.R. 3961 will be coupled with Statutory PAYGO legislation when it is sent to the Senate.

The cost of addressing this problem will only grow in the future. In 2005 a permanent freeze for physician payments was scored as costing \$48.6 billion; today, a policy with a similar score costs \$210 billion. Delays today mean larger and larger price tags in the future and continuing damage to the Medicare program. Therefore prompt action on this issue is necessary and must be taken.

As we talk about fixing the issue of Medicare payments to physicians, this raises similar fixes that I proposed in H.R. 3962—The America's Affordable Health Choices Act of 2009. Specifically, I proposed two changes to Section 1156 of H.R. 3962, to prevent existing physician-owned hospitals from being forced out of business, amendments that enjoyed bipartisan support. First, to avoid harming existing physician-owned hospital projects, I proposed extending the date of the grandfathering provision of Section 1156 to

January 1, 2011 and by strengthening the requirements for Hospitals to qualify for an extension. Next, I suggested that we extend the cut-off date for determining the baseline number of beds and procedure rooms for purposes of the expansion prohibition (currently, date of enactment) to the same date proposed or the grandfathering provision.

Along with this, I share the concerns of health advocates that, as is, the public option in H.R. 3962 is not equipped to provide real competition to large mega insurance plans. As such, I proposed that H.R. 3962 incorporate Congressman KUCINICH's proposal to allow states to choose public insurance options more robust than the Federal plan.

I look forward to working with the leadership going forward to fix these items along with a system that each year cuts Medicare reimbursements to Physicians.

Mr. STARK. Mr. Speaker, I yield myself the balance of the time.

I again encourage my friends on the other side of the aisle to support this fix for the physician reimbursement. It was correct originally in our major health reform bill. The reason it was separated, I would have to admit, was purely political. We had to abide by the President's request that we did not exceed certain costs, and we separated it for that.

For those of you who suggest that the Senate may do nothing with this, I'm afraid we have to leave that to the American Medical Association and America's physicians. They will have to pressure the Senate to add this at some point in their deliberations. I think it's beyond us to do that, and my suspicion is that with the more than 150 medical societies around the country, they will be able to importune our friends on the other side of the Capitol.

Mr. Speaker, I believe that we will see a format of this bill facing us from the other side. I hope we do. We are talking about postponing any length of time increases, whether it's 4 years and we get \$400 billion, whether it's a couple of years and we get \$200 billion, there was a mistake made. The distinguished gentleman whom the current ranking member and I know so well is no longer with us. He is probably chuckling up his sleeve at the angst he has caused us.

But we recognize the mistake. We did try to fix it. We did try to fix it on a bipartisan basis. I know there are other issues that are tangential to this. I hope we can put these aside today. Take care of the physician fix. Hopefully we've got the formula right. As I said earlier to the distinguished gentleman from Wisconsin, we might not have it perfect, but we have some time in the next year or 2 to make those adjustments. I commit to you that we certainly will, and I hope that you would work with us to help correct it if that comes in the future so we can set this aside. It's a separate debate.

We are going to have a long and strenuous debate on health care reform as we go down toward the end of the year and into next year. And I look forward to that. But I would like to see

this set aside so that we can see that the physician payment fix, which we all know has been facing us for years, is ended today and that we pass this bill.

I thank my friends on the minority side for their kindness in this debate and, Mr. Speaker, I urge passage of the bill.

Mr. REYES. Mr. Speaker, I rise today in strong support of H.R. 3961, the Medicare Physician Payment Reform Act of 2009. Over this past summer, physicians in my district consistently stressed the need to reform our flawed Medicare reimbursement formula to ensure continued access to care for our Medicare beneficiaries. I could not agree more. For the last several years, Congress has had to act to reverse reimbursement reductions that would have prompted many doctors to close their doors or refuse to see more Medicare beneficiaries. If we do not act today, physicians serving Medicare patients will see a 21 percent reduction in their reimbursements next year. A cut of this magnitude will reduce access to physicians for Medicare beneficiaries throughout the country. Today, we in the House of Representatives are demonstrating our commitment to permanently fixing this problem.

I am pleased that H.R. 3961 will eliminate this steep payment cut scheduled for 2010 and protect access to care for seniors and people with disabilities into the future. It will also help protect access for our men and women in uniform and their families, since physician payment rates in TRICARE are tied to those used by Medicare. By providing a boost to primary care providers through increased payments for evaluation and management services, such as routine office visits, we help our physicians and patients focus on preventive measures and general wellness. Above all, this important legislation will ensure fair and adequate payment for physicians who participate in Medicare.

The American Medical Association, AARP, the Military Officers Association of America, the American Academy of Family Physicians, the American College of Physicians, the American College of Surgeons, the Center for Medicare Advocacy, the Medicare Rights Center, and the National Committee to Preserve Social Security and Medicare support this legislation. Like them and many of my colleagues, I too support comprehensive reforms to Medicare physician payments that enhance efficient and high-quality care for beneficiaries that protect their choice of physicians. For these reasons, I urge my colleagues to vote in favor of H.R. 3961.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H.R. 3961, the Medicare Physician Payment Reform Act of 2009.

This important piece of legislation will repeal the 21 percent physician payment cut, which is scheduled to go into effect on January 1 and replace it with a 1.2 percent increase for next year.

It has been over a decade since the physician fee schedule was put in place to help control increases in Medicare payments to physicians. The Medicare program reimburses physicians who treat seniors using a complex formula that is based on a number of factors.

Unfortunately, payments for physician services matched the SGR and expenditure targets for only the first 5 years. Since then, the

actual expenditures have exceeded the target by so much that the system is no longer realistic.

As we have learned in recent years the formula reduces payments to physicians when the economy goes down—a time when doctors are least able to absorb the extra costs. These payment reductions have caused many physicians to hold off on accepting new Medicare patients, withdraw from the program, or retire altogether.

In areas like mine that rely heavily on Medicare and Medicaid, we probably will not be in a situation where doctors stop taking Medicare. Rather, we will see access problems created by gap from physician retirements that is not filled by new crops of doctors willing to take Medicare patients. If we reach that point, Medicare will have failed in its mission to provide equality in access to health care for our senior citizens.

We passed H.R. 3962, the Affordable Health Care for America Act a couple of weeks ago, but we cannot successfully implement health care reform if we do not reimburse our physicians correctly. It is time for Congress to intervene and revamp the SGR formula and pass H.R. 3961.

Mr. KLEIN of Florida. Mr. Speaker, I rise in strong support of H.R. 3961, the Medicare Physician Payment Reform Act. This vital component to health care reform will finally eliminate the widely criticized Sustainable Growth Rate, or SGR, and implement a new, fairer system to pay our doctors and protect and strengthen Medicare for all our seniors.

Originally enacted in 1997, the SGR has been, in my opinion, an attempt to balance the budget on the backs of doctors and other providers, and this is not acceptable. Not only has the SGR failed to curtail spending, but in some cases it incentivizes volume of services instead of quality of care, and it may be expediting the shift from primary care services to specialty and sub-specialty services. As you well know, Mr. Speaker, the alarming shortage of primary care physicians remains one of the most pressing challenges to our health care system.

Make no mistake: passing this bill today is of the utmost importance for our seniors and our physicians. Since 2001, doctors have faced cut after cut in their Medicare reimbursements due to the flawed SGR. Each time, Congress stepped in at the 11th hour to block the cuts and provide increases to their pay to ensure that seniors can continue to see the doctors of their choice under Medicare.

We are facing the same alarming situation now due to the SGR. Doctors are facing a crippling cut of 21 percent in January 2010. Let me repeat that number so all my colleagues who intend to vote against this bill can hear this loud and clear. Doctors who care for our seniors are facing a 21 percent cut in their pay. It doesn't take an economist to know that if doctors face a 21 percent cut in their salary, they will stop taking Medicare patients.

I can't speak for my colleagues, but I will say this. When I came to Congress 3 years ago, I vowed to strengthen and protect Medicare for my seniors, and that means fixing once and for all the way we pay our doctors under Medicare. By passing this bill, seniors will not have to lose another night of sleep over whether they can be treated by the doctor of their choice. This bill will bring peace of

mind to thousands of seniors and health care professionals in South Florida.

This important legislation builds on the critical reforms that we passed in H.R. 3962, the Affordable Health Care for America Act, which will finally close the donut hole for seniors enrolled in Part D, allow for drug price negotiation in Medicare, and eliminate copayments for vital preventive services to our seniors. Combined with this permanent fix to the way we pay doctors, this Congress is following through on our promises to our seniors and strengthening Medicare for years to come.

This bill will also include an important component to reducing the federal deficit. The "pay as you go" principle of budget discipline requires Congress to offset any new spending with either cuts to existing programs or increases in revenue. It was in place during the 1990s when Congress balanced the budget and actually ran a budget surplus. Pay-Go was allowed to expire and now we have the situation we are in now.

As a deficit hawk, I am absolutely committed to balanced budgets and reducing our deficit. I am a very strong supporter of writing pay-as-you-go requirements into law. This is a common-sense principle that families follow around their kitchen tables every day, and the government should be no different. We can only buy what we can afford, and nothing more.

I urge my colleagues to support H.R. 3961.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of this legislation. The bill before us today would accomplish two very important things—provide a long-term fix to the Medicare physician reimbursement problem and implement statutory pay-as-you-go, PAYGO, rules will promote long-term fiscal responsibility for our nation.

Permanent reform of the flawed Medicare physician payment formulas is necessary to ensure that beneficiaries can see their doctor of choice and protect access to care. Consistent with the House Budget Resolution and President Obama's recommendation, this bill uses realistic and responsible assumptions about future Medicare spending on physician services. The choice is clear: We need to fix this problem honestly today and not continue to kick the can down the road.

As we put Medicare physician payments on a sustainable path, so must we tend to the fiscal health of our Nation. The day President Obama was sworn into office, he inherited huge deficits and exploding debt in this country. The previous administration wanted to put everything on our national credit card and ask future generations to pay for it. It is the legacy of this irresponsible spending that has left us with today's historic Federal debt.

Fortunately, there is a time-tested solution for bringing our budget back into balance: PAYGO budget rules. We have had the benefit of PAYGO in the past. For example, when the PAYGO rule was in place in the 1990s, our Federal budget went from record deficits to record surplus. In fact, when President Clinton left office, CBO projected that America would have an \$800 billion surplus this year. However, when Congress abandoned PAYGO in 2002, the Federal debt exploded. Today, we are saddled with a \$1.4 trillion deficit.

Digging out of this economic ditch will take time, but it is important that we put our economy on a long-term, sustainable path. PAYGO will do that by requiring policies that result in

revenue reduction or increased mandatory spending be offset over the next 5 and 10 years. It will force Congress to evaluate the tradeoffs inherent in its financial decisions and make hard choices, just like any family in America.

Mr. Speaker, with this legislation, we will be putting our country on a path of fiscal responsibility. Let's tell our children and grandchildren that we're going to take some responsibility. I urge my colleagues to support this important legislation.

Mr. LANGEVIN. Mr. Speaker, I rise today in support of H.R. 3961, the Medicare Physician Payment Reform Act of 2009. This legislation will prevent a scheduled 21 percent Medicare payment cut to physicians, while providing a long-term fix to the flawed Medicare reimbursement formula that has threatened access to care for over a decade.

Congress has made unprecedented strides this year in the fight to reform our nation's health insurance system. On November 7, I was proud to support the first comprehensive health reform bill to pass the House in several decades. This was an historic achievement, but we have more work to do. Low Medicare reimbursement rates have made it difficult to retain qualified doctors in Rhode Island, particularly those who practice primary care. This is not just a problem for Rhode Island's seniors; it is an issue that affects every patient in Rhode Island and throughout the country.

The Medicare Sustainable Growth Rate formula, or SGR, was a cost control measure instituted in 1997 that has required repeated cuts in physician reimbursements that don't reflect the true costs of care. Since 2002, Congress has recognized this fact and passed yearly fixes to prevent these cuts from taking effect. If left unresolved, this problem will result in a total reimbursement cut of 40 percent to doctors by 2016, the same time period during which we will see even more baby boomers entering the Medicare program.

H.R. 3961 replaces the pending 21 percent fee cut with an update for 2010 based on the Medicare economic index, estimated at 1.2 percent. Beginning in 2011, the update adjustment factor would be based on spending for each category of service since 2009, wiping the slate clean from the onerous accrual of cuts that have loomed over doctors for years. In addition, it provides an extra growth allowance for primary care services to promote access to primary care practitioners in Medicare and throughout the health care system.

Successful health reform must include a Medicare payment structure that ensures fair reimbursement for doctors and continued access for seniors. H.R. 3961 is a necessary step toward achieving that goal, and I urge my colleagues to support its passage.

Mr. BACA. Mr. Speaker, I rise today in strong support of H.R. 3961, the Medicare Physician Payment Reform Act.

Congress is only a few steps away from passing a healthcare reform bill and sending it to the President's desk for a signature.

However the 21% cut to physician payments under Medicare scheduled to go into effect on January 1st is just around the corner.

We must act now to protect Medicare patient's access to their doctors. We must act now to protect military and their families under TRICARE the access to their doctors. The status quo is not an option; we must not let these cuts go through. Let's stop the cuts and short-

term patches once and for all; this is real reform with a real solution.

Today I will vote for the 194,510 Medicare patients in my District. Access to healthcare is not a privilege, it is a human right. I urge my colleagues vote for H.R. 3961 and preserve the access of Americans to see their doctor.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 3961, the "Medicare Physician Payment Reform Act of 2009." Our seniors and veterans have worked for affordable, quality, and accessible health care. The bill before us, H.R. 3961, ensures that Medicare payments fairly compensate physicians for their services. This legislation will ensure that doctors will be available to treat their Medicare patients.

Over the last five years, Medicare payment rates to doctors were set artificially low just to keep the system from becoming insolvent. That was the wrong approach. Instead of saving money, the system had the unintended consequence of discouraging doctors from accepting Medicare patients. Under the "Sustainable Growth Rate" formula, or "SGR," employed by the previous Administration and Congresses, the rate of physicians' reimbursement steadily decreased in order to restrain the growth of overall Medicare spending. So while aggregate spending was balanced, payments to individual doctors provided minimal incentive for them to continue treating Medicare patients.

Indeed, if this flawed SGR formula were implemented in its current form, Medicare physicians would suffer a 21 percent fee reduction in January 2010. This would be disastrous for Medicare patients because many of their doctors would no longer be able to afford to provide them with the quality care they need.

H.R. 3961 will allow doctors to keep their doors open to their Medicare and TRICARE patients. Rather than being reimbursed based on some externally constructed, faulty measure such as the SGR, doctors will be reimbursed based on a new measure, one that reflects the actual cost of the services they provide to their patients. H.R. 3961 also sets 2009 as the baseline for years to come. This means that, rather than a steadily declining reimbursement, doctors will experience a reimbursement rate that either matches or slightly exceeds what they received the year before. This bill ends the cycle of fee reductions based on an artificially constructed formula and replaces it with a stable system that reflects the valuable relationship between seniors and their doctors.

In my district alone, there are more than 60,000 seniors on Medicare. For them, this bill means access to the quality care provided by their doctor. Since doctors know they will be reimbursed fairly for their services, they will not feel compelled to close their doors to the Medicare and TRICARE patients in my district.

This bill also establishes more moderate target growth rates for Medicare spending. These target growth rates are much more realistic than the SGR and they will not result in the types of fee reductions like the 21 percent reduction that is currently threatening physicians. Finally, this bill encourages integrated care so that providers can communicate and develop a comprehensive wellness plan that meets the needs of each patient.

Mr. Speaker, it is not surprising that President Obama strongly supports H.R. 3961. He understands the relationship between reasonable reimbursement rates and availability of

quality care for Medicare beneficiaries. Likewise, the American Medical Association supports this bill because it provides physicians with the financial stability they need to invest in the infrastructure needed to build a health care system that works. The AARP supports this bill because it represents meaningful, sustainable reform for the 40 million seniors it represents.

I support this bill because it continues the work we began this month when we passed the historic Affordable Health Care for America Act. This necessary and timely reform benefits our seniors and our veterans. As we approach the Thanksgiving holiday, the security and peace of mind that this legislation will bring to our seniors and veterans is something for which we can all be thankful. I urge my colleagues to support H.R. 3961.

Mr. POSEY. Mr. Speaker, I rise in strong support of legislation to fix the physician fee cut. This system has been broken for more than six years and rather than fix the problem, previous Congresses have simply kicked the can down the road and now physicians are facing more than a 20 percent reduction in payments come January 1, 2010. This is unacceptable.

Stopping the cut and putting physician payments on a realistic payment formula should have been a higher priority for this Congress. Here we are, less than one month away from the January 1 deadline, and the Speaker finally decides to bring legislation to the floor for a vote. Unfortunately, the bill she has brought to the floor has many of the same shortcomings in it that S. 1776 did when the Senate rejected that bill on October 21, 2009. That bill fell 13 votes short of the number needed for passage, principally, because it was not paid for and simply added hundreds of billions of dollars to the record level national debt.

On November 7, 2009, the House passed comprehensive health care reform legislation (H.R. 3962) on a 220–215 vote. That bill creates a new unsustainable health care program that the federal government has no way to pay for long-term. Rather than making H.R. 3962 a priority, the Congress should have first considered legislation to fix the physician payment problem by replacing the inherently flawed sustainable growth rate (SGR) formula. Sadly, the majority chose the opposite path. Congress should, in my view, fix the problems with the current programs—Medicare, Medicaid, and the State Children's Health Insurance Program (SCHIP)—before creating new programs that we cannot afford.

In states such as Florida, which have large numbers of seniors, the erosion of payments under Medicare has had an adverse impact on the ability of some seniors to have access to good medical providers, and it makes it difficult for Florida to attract new providers.

The only reason that this bill (H.R. 3961) has been separated out from H.R. 3962, which passed the House two weeks ago, is because Congressional leaders want to make the cost of overall comprehensive health care reform (H.R. 3962) appear less expensive.

The American people deserve better. The most appropriate approach is to end the budget games, acknowledge the realistic costs of legislation, and find the appropriate ways to pay the costs of the bill without adding further to our Nation's record debt.

Fixing the payment formula should be the top priority for the Congress at this time, not

an afterthought. The good news is that there are appropriate and sufficient ways to fund the cost of averting the 21 percent payment cut. The question before Congress is whether the Leaders in Congress will switch gears and put the SGR fix at the top of the legislative agenda and use these offsets to fix what is broken with Medicare, rather than playing politics and budget games.

I will be voting for the alternative to the Speaker's bill. This alternative will increase physician payments by 2 percent in each of the next four years, enact liability reforms, and implement insurance administrative simplification reforms to cut physicians' administrative costs. Overall, this is a much better and more certain approach for physicians.

Our physicians and seniors deserve a quick fix to this problem. Let's pass a bill that has a chance in the Senate, rather than passing a bill that has the same fatal flaws as a bill they have already voted down.

Mr. THOMPSON of California. Mr. Speaker, I rise today in strong support of H.R. 3961, the Medicare Physician Payment Reform Act.

We've all heard from our constituents how important their relationship is with their doctor. We have a system that works—over 45 million people across the country depend on Medicare for that doctor-patient relationship.

Yet every year this doctor-patient relationship is threatened by excessive cuts to Medicare reimbursement rates. Every year we wait until the last minute to address it in Congress. Meanwhile, patients worry that they will lose access to their doctors. And doctors worry about how they will be able to continue to serve their patients.

This bill will permanently fix this problem—so that we don't have to put patients and their doctors through this yearly ritual, and Medicare recipients will have continuous access to their doctors. I urge my colleagues to vote yes on this legislation.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in opposition to H.R. 3961.

It goes without saying that I recognize that doctors are the backbone of Medicare and our health care system in general. As such, they must be compensated by the federal government in a manner that allows them to recover their expenses at the very least. I have been very supportive of providing doctors with a fair and equitable reimbursement for their services.

I recognize that an increasing number of physicians are finding it financially impossible to treat Medicare patients and another reduction in reimbursement levels would encourage more doctors to drop Medicare patients, endangering the health of the most vulnerable of our society—the frail elderly.

I have also been informed that nearly one-third of physicians in America are near or have actually achieved retirement age.

It would not take much in terms of lower reimbursements or additional bureaucratic red tape to encourage them to close their practices, further limiting access to quality health care for many older Americans.

I have supported Medicare fee “fix” legislation over the years. However, this bill is different. It is not “paid for” and presents another unnecessary blow to our embattled taxpayers and future generations of Americans.

Enough is enough! We have to stop spending borrowed federal dollars like there is no tomorrow!

As I stated earlier, I understand that we must prevent the Medicare physician reimbursement level from being slashed by a catastrophic 21 percent. But the \$285 billion cost of this legislation can and must be offset.

I suggest that the unspent balance of the failed economic stimulus bill is a great place to start.

Mr. Speaker, I urge defeat of the bill.

Mrs. MALONEY. Mr. Speaker, I rise in strong support of H.R. 3961, the Medicare Physician Payment Reform Act, also known as the Doc Fix. I am proud to represent thousands of doctors who both live and work in New York's 14th Congressional District. Each year, I am visited by hundreds of them and hear from hundreds more, who are concerned about their patient's access to care due to a scheduled annual cut to their Medicare payments. Under the current system, when Medicare utilization of physicians' services exceeds the Sustainable Growth Rate, SGR, target, physicians are unfairly penalized with steep cuts in their payment update. With this bill, we are averting a 21-percent cut in Medicare rates while saving patient access to care by working toward a permanent fix of the SGR. After all, a stable and predictable payment system for physician service delivery is critical to preserving patient-centered care and investing in health care for the 21st century.

H.R. 3961 finally addresses the problem with the SGR formula that plagues Congress each year when we are forced to do a quick fix to prevent drastic cuts to doctor payments. This important legislation makes a critical first step toward physician payment reform by establishing distinct growth rates and spending targets. It establishes fairer growth targets to keep doctors' pay steady and erases the debt that was produced by the short-term patches that stopped cuts from going into effect over the past 7 years. At the same time, it holds physicians accountable for spending growth. H.R. 3961 promotes primary care that can keep Americans healthier longer by providing an extra growth allowance for primary care services to promote access to primary care practitioners in Medicare and throughout the health care system.

H.R. 3961 encourages integrated care to ensure our doctors are communicating with one another. When doctors speak about our care, mistakes are avoided and quality improves.

Finally, H.R. 3961 is fiscally responsible and is paid for. This bill will not increase total payments to physicians above what they are today and is paygo neutral.

The old system is broken, and this bill fixes it. With the lack of predictability in Medicare payments, older doctors with older patients retire early and younger doctors are discouraged from entering specialties that treat predominantly Medicare patients. Fixing the SGR is critical to preserving Medicare patients' access to care and passage of this bill is a crucial part of health care reform. I urge my colleagues to vote in favor of this important legislation.

Mr. KUCINICH. Mr. Speaker, I rise in support of H.R. 3961, the Medicare Physician Payment Reform Act. Unfortunately, the bill includes statutory-pay-as-you-go requirements. Our country's economy continues to flounder in the worst downturn since the Great Depression, yet Congress insists on passing legislation that will constrain our ability to respond appropriately to our economic circumstances.

The Nation's unemployment rate is over 10 percent, and is likely to remain high well into the next year. The private sector is slashing payrolls and squeezing productivity out of the employees who remain, stubbornly refusing to contribute to an economic recovery. The government must be the spender of last resort to get Americans working again. While the Recovery Act has certainly helped to stave off a more severe economic downturn, it is obviously insufficient. We have more work to do, but pay-as-you-go requirements will only inhibit our ability to help our constituents.

However, Medicare is one of the most popular government programs in part because, in contrast to private insurance plans, seniors and people with certain disabilities can have access to their doctor of choice. Doctors will be less willing to participate, however, if they are not sufficiently paid, as is the case now. I have met with doctors and doctor representatives in the Cleveland area to discuss the issue and the urgency is clear. We must maintain incentives that lead to a high standard of care. I am especially supportive of the extra growth allowance for primary care services as a small down payment toward addressing a severe shortage of primary care physicians. For those reasons, I support the Medicare Physician Payment Reform Act.

Mr. ETHERIDGE. Mr. Speaker, I rise today in strong support of H.R. 3961, the Medicare Physician Payment Reform Act of 2009.

H.R. 3961 repeals the irresponsible budget gimmicks of the last decade, replacing a scheduled 21 percent fee reduction for doctors who accept Medicare with a more rational and stable system. The new payment formula will support primary care and encourage coordination among providers, while holding physicians accountable for spending growth. H.R. 3961 builds on the historic health insurance reform bill the House passed two weeks ago, which will lower premiums, extend the solvency of Medicare by 5 years, and close the "donut hole" drug coverage gap.

Medicare is a vital lifeline for seniors, but it is worthless if doctors cannot afford to see Medicare patients. Seniors should be able to see the doctors they prefer, and fixing the doctor payment system will make sure they have access to high-quality care from people they trust. Countless doctors in my district have told me that they are happy to treat seniors, but that they risk going out of business with current Medicare payments. We must make sure that they continue to be able to provide high-quality health care to Medicare beneficiaries.

H.R. 3961 will replace the flawed physician payment system that continually threatens access to care for our Nation's elderly and disabled patients. Since TRICARE rates are tied to Medicare, the current system also threatens the health of our military families covered by TRICARE. Fixing the system will provide physician practices with financial stability and predictability and enable them to invest in the infrastructure needed to build a health care system for the 21st century.

Without Medicare physician payment reform, the goals of health system reform will remain out of reach. Another short-term "patch" would only increase the severity of future cuts and raise the costs of permanently repealing the sustainable growth rate. Medicine can no longer support the sort of short-term patches that have been used in the past to postpone

true payment reform. By fixing the doctor payment issue and including PAYGO, Congress is replacing the reckless borrow-and-spend policies of the last decade with responsible and reliable budget planning.

Mr. Speaker, H.R. 3961 is fiscally responsible and will improve the health and health care of people across my district, North Carolina, and the country. I urge my colleagues to join me in strong support of our seniors and the physicians who keep them healthy.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to H.R. 3961.

Under current law, Medicare physician reimbursement rates are expected to be cut by 21 percent next year and by roughly 5 percent for each of the next several years thereafter, according to the 2009 Medicare Trustees Report.

While we can all agree that our current physician reimbursement rate is flawed, Republicans and Democrats have many different ideas about how to fix it.

Since 2003, Congress has offset the cost of averting physician payment cuts. Unfortunately, today's legislation's further exacerbates the Democratic majority's infatuation with deficit spending.

According to CBO, the full cost of H.R. 3961 is \$260 billion, \$210 billion of which is deficit spending by the federal government. Furthermore \$50 billion will be paid for by Medicare beneficiaries in the form of higher Part B premiums.

The Democrats' health care takeover already costs over \$1 trillion. In order to hide the additional costs of that bill, the Democrats separated this physician reimbursement rate legislation from the larger health care bill.

It is clear that this procedural move is simply a budget gimmick by Democrats to avoid including the full cost of this Medicare physician fix in their health care reform bill. This trickery is insulting to Americans who are tired of politics as usual and who are demanding straight answers about our nation's deteriorating fiscal situation.

This legislation also breaks President Obama's promise that health care reform would not cost more than \$900 billion. Taking CBO's 10-year score of the health care overhaul, \$1.055 trillion, and adding the cost of this physician reimbursement fix, the total cost of the Democrats' health care reform would be at least \$1.3 trillion.

Mr. Speaker, I cannot support the deficit spending in this legislation. As I stated previously, according to the Congressional Budget Office, CBO, this bill would increase the Federal deficit by more than \$210 billion with this one bill alone.

The American people know that we can't borrow and spend our way back to prosperity. The path to our economic recovery starts with fiscal responsibility in Washington. The Federal Government must follow the example set by our Nation's families.

Unfortunately, Democrats continue to ignore this reality. We have accumulated a 2009 deficit of \$1.42 trillion and a national debt of over \$12 trillion and Democrats seem determined to dig us deeper into this debt hole.

While my colleagues on the other side of the aisle may have concocted a scheme to enable this bill to pass today, I hope they realize that the Senate has already rejected a bill substantially similar to this one, almost identical in cost, because of its crippling deficit impact. In fact, 13 Democrat Senators opposed it.

Mr. Speaker, the Rules Committee is a very powerful committee—one that determines under what rules every bill will be brought to the House floor. In yet another strong-armed tactic, the majority has used yet another rule to limit discussion and amendments offered by Republicans. Instead of having an honest debate, the Democratic majority has decided they didn't like the discussion, so they have effectively decided to stifle alternative ideas and debate. This doesn't seem very democratic to me.

House Republicans have a better alternative. Our proposal, which was not given the light of day, much less a vote, would provide: \$54 billion in savings from medical liability reform that would enact caps on noneconomic damages and lawyers' fees, encouraging speedy resolutions of claims, and limit punitive damages. This will reduce defensive medicine, protect doctors from frivolous lawsuits, and bring down the cost of health care; \$5.7 billion in savings from the creation of a pathway for approval at the Food and Drug Administration for bio-similar products, with appropriate protections that continue to promote innovation while providing access to affordable drugs; and \$19 billion in savings through enacting health insurance administrative simplification policies such as the creation of standardized forms and transactions.

Mr. Speaker, there is a fiscally responsible way to solve this physician reimbursement problem. I urge my colleagues to oppose H.R. 3961.

Mr. TIAHRT. Mr. Speaker, I rise today in reluctant opposition to H.R. 3961. I say reluctant because we desperately need a real physician reimbursement rate fix. The future of medicine and the health of Americans, especially seniors, depends on a cost-based formula to reimburse providers for medical expenses. This bill, however, is not a real fix but yet another political and budget gimmick.

The issue known as the "doctor fix" is familiar to us all, but I don't think that the majority fully understands who suffers under inadequate physician pay—the American people. CMS reimbursement rates to providers is anywhere from 30–70 percent of actual cost, based on the specific procedure. Even the highest CMS reimbursement is still loss to providers. It isn't just the doctors who suffer but also the patients. Many doctors have to close their door to new Medicare and Medicaid patients or face bankruptcy. This is especially troubling in rural areas where there are limited providers and seniors face a serious medical accessibility problem. In Kansas, between 20–30 percent of physicians say they will no longer accept new Medicare patients. These doctors, especially in rural areas, go into their profession to help people and having to turn away patients is a measure of absolute last resort.

The current formula for physician reimbursement is known as the sustainable growth rate, SGR, and has little if anything to do with actual costs. That is why year after year Congress passes adjustments to prevent cuts in reimbursement rate. These adjustments are the bare minimum that we can do, even staving off cuts for one year does not allow for certainty in the system.

For that reason, for years several of us have been trying to get CMS to get rid of the SGR and instead base reimbursement rates on actual medical costs. I brought data to

then-Chairman Bill Thomas showing that more and more Kansas doctors were refusing new Medicare patients. Due to the overwhelming evidence that this is a real problem, the House version of the Medicare Modernization Act, the prescription drug bill, included language directing CMS to scrap the SGR and come up with a real reimbursement rate formula. Unfortunately, the Senate stripped that provision and subsequent efforts to enact real SGR reform have failed.

H.R. 3961 is not real SGR reform, but rather putting lipstick on a pig. As the Association of American Physicians and Surgeons asserts, "It just trades one complicated federal formula for another, and still leaves physician pay subject to Congressional whim in the future." The Democrat proposal uses GDP and other factors instead of actual cost to calculate reimbursement rates and does nothing to prevent the need for further congressional 1-year adjustments to the rate.

The Democrat health care proposals, including H.R. 3961, do nothing to address the rising cost of health care, and indeed will cause costs to rise faster than they do today. There are several things we need to do to improve access to and quality of health care, including addressing physician reimbursement rates. Real health reform requires addressing the cost centers that are driving insurance costs up, reducing provider services, and discouraging professionals from entering medicine. For this reason, a recent IB/TIPP Poll revealed that two-thirds of physicians oppose the Democrat bills, and furthermore warn of dire consequences should they be enacted. In addition, 45 percent of physicians said that they would consider leaving their practice or take early retirement.

I am hopeful that the Democrat leadership will abandon this political gimmick and work with us to address physician reimbursement rates. This is no "Chicken Little" story. Without congressional action, the sky will fall in, doctors will be unable to participate in Medicare and our seniors will be left without care—regardless of Obamacare reforms.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 3961, the Medicare Physician Payment Reform Act.

H.R. 3961 would repeal the current Medicare Sustainable Growth Rate, SGR, formula and save our physicians from a looming 21 percent reimbursement cut. Instead of temporarily overriding the cut as Congress has done before, H.R. 3961 will replace the broken SGR formula with a sustainable solution.

This bill is essential, not only for the doctors who deserve adequate reimbursement for services, but for the millions of Medicare beneficiaries and members of the military and their families, since physician payment rates in TRICARE are tied to those used by Medicare. With comprehensive healthcare reform on the horizon, it's our responsibility to ensure physicians are reimbursed appropriately.

H.R. 3961 is supported by a wide range of organizations representing patients, doctors and other providers, including the American Medical Association, AARP, the Military Officers Association of America, the American Academy of Family Physicians, the American College of Physicians, the American College of Surgeons, the Center for Medicare Advocacy, the Medicare Rights Center, and the National Committee to Preserve Social Security and Medicare.

This is critically needed and sound legislation and I look forward to voting in favor of H.R. 3961 and ask my colleagues to do the same.

Mr. STARK. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 903, the previous question is ordered on the bill.

MOTION TO RECOMMIT OFFERED BY MR. GINGREY OF GEORGIA

Mr. GINGREY of Georgia. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GINGREY of Georgia. In its present form, I am.

Mr. WAXMAN. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gingrey of Georgia moves to recommit the bill, H.R. 3961, to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Medicare SGR Improvement and Reform Act of 2009".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ENSURING CONTINUED ACCESS TO PHYSICIANS IN MEDICARE

Sec. 101. Improving Medicare physician payments.

Sec. 102. Statement of policy.

TITLE II—DEFICIT PROTECTION AND FISCAL RESPONSIBILITY

Subtitle A—Enacting Real Medical Liability Reform

Sec. 201. Encouraging speedy resolution of claims.

Sec. 202. Compensating patient injury.

Sec. 203. Maximizing patient recovery.

Sec. 204. Additional health benefits.

Sec. 205. Punitive damages.

Sec. 206. Authorization of payment of future damages to claimants in health care lawsuits.

Sec. 207. Definitions.

Sec. 208. Effect on other laws.

Sec. 209. State flexibility and protection of states' rights.

Sec. 210. Applicability; effective date.

Subtitle B—Application of Medicare Improvement Fund

Sec. 211. Application of Medicare Improvement Fund.

Subtitle C—Pathway for Biosimilar Biological Products

Sec. 221. Licensure pathway for biosimilar biological products.

Sec. 222. Fees relating to biosimilar biological products.

Sec. 223. Amendments to certain patent provisions.

Subtitle D—Administrative Simplification

Sec. 231. Administrative simplification.

TITLE I—ENSURING CONTINUED ACCESS TO PHYSICIANS IN MEDICARE

SEC. 101. IMPROVING MEDICARE PHYSICIAN PAYMENTS.

Section 1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d)) is amended by adding at the end the following new paragraphs:

"(10) 2 PERCENT ANNUAL UPDATE FOR YEARS 2010 THROUGH 2013.—

"(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), and (9)(B) and subparagraph (B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for each of 2010, 2011, 2012, and 2013, the update to the single conversion factor shall be 2 percent.

"(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR 2014 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for 2014 and subsequent years as if subparagraph (A) had never applied, subject to paragraph (11).

"(11) UPDATE FOR 2014 AND POSSIBLE SUBSEQUENT YEARS THROUGH 2019.—

"(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), and (9)(B) and subparagraph (B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2014 and, at the Secretary's discretion, for subsequent years ending not later than 2019, the update to the single conversion factor shall be such percentage for each such year as the Secretary determines will result in additional expenditures under this title in the aggregate for all such years of \$26,400,000,000. Not later than October 1, 2013, the Secretary shall establish by regulation the method the Secretary will use in allocating the \$26,400,000,000 under the previous sentence between 2014 and subsequent years. Such allocation shall be designed in a manner so that the single conversion factor for a year is not less than 79 percent of the conversion factor for the previous year.

"(B) LIMITED EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for subsequent years as if subparagraph (A) had never applied, but taking into account the aggregate additional increase in expenditures permitted under such subparagraph."

SEC. 102. STATEMENT OF POLICY.

It is the policy of the Federal Government that the sustainable growth rate formula, upon which physician payments are based for the Medicare program, should be permanently repealed and replaced with a reimbursement policy that pays doctors an amount reflecting the true cost of services provided in a high-quality and efficient manner and uses a fiscally responsibly funding mechanism.

TITLE II—DEFICIT PROTECTION AND FISCAL RESPONSIBILITY

Subtitle A—Enacting Real Medical Liability Reform

SEC. 201. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

The time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first. In no event shall the time for commencement of a health care lawsuit exceed 3 years after the date of manifestation of injury unless tolled for any of the following—

(1) upon proof of fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

Actions by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that actions by a minor under the full age of 6 years shall be commenced within 3 years of manifestation of injury or prior to the minor's 8th birthday, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care organization have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

SEC. 202. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this subtitle shall limit a claimant's recovery of the full amount of the available economic damages, notwithstanding the limitation in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—In any health care lawsuit, the amount of noneconomic damages, if available, may be as much as \$250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same injury.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—For purposes of applying the limitation in subsection (b), future noneconomic damages shall not be discounted to present value. The jury shall not be informed about the maximum award for noneconomic damages. An award for noneconomic damages in excess of \$250,000 shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law. If separate awards are rendered for past and future noneconomic damages and the combined awards exceed \$250,000, the future noneconomic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. Whenever a judgment of liability is rendered as to any party, a separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. 203. MAXIMIZING PATIENT RECOVERY.

(a) COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants. In particular, in any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity. In no event shall the total of all contingent fees for representing all claimants in a health care lawsuit exceed the following limits:

- (1) 40 percent of the first \$50,000 recovered by the claimant(s).
- (2) 33½ percent of the next \$50,000 recovered by the claimant(s).
- (3) 25 percent of the next \$500,000 recovered by the claimant(s).
- (4) 15 percent of any amount by which the recovery by the claimant(s) is in excess of \$600,000.

(b) APPLICABILITY.—The limitations in this section shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution. In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section. The requirement for court supervision in the first two sentences of subsection (a) applies only in civil actions.

SEC. 204. ADDITIONAL HEALTH BENEFITS.

In any health care lawsuit involving injury or wrongful death, any party may introduce evidence of collateral source benefits. If a party elects to introduce such evidence, any opposing party may introduce evidence of any amount paid or contributed or reasonably likely to be paid or contributed in the future by or on behalf of the opposing party to secure the right to such collateral source benefits. No provider of collateral source benefits shall recover any amount against the claimant or receive any lien or credit against the claimant's recovery or be equitably or legally subrogated to the right of the claimant in a health care lawsuit involving injury or wrongful death. This section shall apply to any health care lawsuit that is settled as well as a health care lawsuit that is resolved by a fact finder. This section shall not apply to section 1862(b) (42 U.S.C. 1395y(b)) or section 1902(a)(25) (42 U.S.C. 1396a(a)(25)) of the Social Security Act.

SEC. 205. PUNITIVE DAMAGES.

(a) IN GENERAL.—Punitive damages may, if otherwise permitted by applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer. In any health care lawsuit where no judgment for compensatory damages is rendered against such person, no punitive damages may be awarded with respect to the claim in such lawsuit. No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages. At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

- (1) whether punitive damages are to be awarded and the amount of such award; and
- (2) the amount of punitive damages following a determination of punitive liability. If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(b) DETERMINING AMOUNT OF PUNITIVE DAMAGES.—

(1) FACTORS CONSIDERED.—In determining the amount of punitive damages, if awarded, in a health care lawsuit, the trier of fact shall consider only the following—

- (A) the severity of the harm caused by the conduct of such party;
- (B) the duration of the conduct or any concealment of it by such party;
- (C) the profitability of the conduct to such party;
- (D) the number of products sold or medical procedures rendered for compensation, as the

case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) MAXIMUM AWARD.—The amount of punitive damages, if awarded, in a health care lawsuit may be as much as \$250,000 or as much as two times the amount of economic damages awarded, whichever is greater. The jury shall not be informed of this limitation.

SEC. 206. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding \$50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments. In any health care lawsuit, the court may be guided by the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) APPLICABILITY.—This section applies to all actions which have not been first set for trial or retrial before the effective date of this subtitle.

SEC. 207. DEFINITIONS.

In this subtitle:

(1) ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.—The term "alternative dispute resolution system" or "ADR" means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) CLAIMANT.—The term "claimant" means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity, or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) COLLATERAL SOURCE BENEFITS.—The term "collateral source benefits" means any amount paid or reasonably likely to be paid in the future to or on behalf of the claimant, or any service, product, or other benefit provided or reasonably likely to be provided in the future to or on behalf of the claimant, as a result of the injury or wrongful death, pursuant to—

(A) any State or Federal health, sickness, income-disability, accident, or workers' compensation law;

(B) any health, sickness, income-disability, or accident insurance that provides health benefits or income-disability coverage;

(C) any contract or agreement of any group, organization, partnership, or corporation to provide, pay for, or reimburse the cost of medical, hospital, dental, or income-disability benefits; and

(D) any other publicly or privately funded program.

(4) COMPENSATORY DAMAGES.—The term "compensatory damages" means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience,

physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. The term “compensatory damages” includes economic damages and non-economic damages, as such terms are defined in this section.

(5) **CONTINGENT FEE.**—The term “contingent fee” includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(6) **ECONOMIC DAMAGES.**—The term “economic damages” means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(7) **HEALTH CARE LAWSUIT.**—The term “health care lawsuit” means any health care liability claim concerning the provision of health care goods or services or any medical product affecting interstate commerce, or any health care liability action concerning the provision of health care goods or services or any medical product affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim. Such term does not include a claim or action which is based on criminal liability; which seeks civil fines or penalties paid to Federal, State, or local government; or which is grounded in anti-trust.

(8) **HEALTH CARE LIABILITY ACTION.**—The term “health care liability action” means a civil action brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(9) **HEALTH CARE LIABILITY CLAIM.**—The term “health care liability claim” means a demand by any person, whether or not pursuant to ADR, against a health care provider, health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, including, but not limited to, third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services or medical products, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(10) **HEALTH CARE ORGANIZATION.**—The term “health care organization” means any person or entity which is obligated to provide or pay for health benefits under any health plan, including any person or entity acting under a contract or arrangement with a

health care organization to provide or administer any health benefit.

(11) **HEALTH CARE PROVIDER.**—The term “health care provider” means any person or entity required by State or Federal laws or regulations to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(12) **HEALTH CARE GOODS OR SERVICES.**—The term “health care goods or services” means any goods or services provided by a health care organization, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, or treatment of any human disease or impairment, or the assessment or care of the health of human beings.

(13) **MALICIOUS INTENT TO INJURE.**—The term “malicious intent to injure” means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(14) **MEDICAL PRODUCT.**—The term “medical product” means a drug, device, or biological product intended for humans, and the terms “drug”, “device”, and “biological product” have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(g)(1) and (h)) and section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)), respectively, including any component or raw material used therein, but excluding health care services.

(15) **NONECONOMIC DAMAGES.**—The term “noneconomic damages” means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(16) **PUNITIVE DAMAGES.**—The term “punitive damages” means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider, health care organization, or a manufacturer, distributor, or supplier of a medical product. Punitive damages are neither economic nor noneconomic damages.

(17) **RECOVERY.**—The term “recovery” means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys’ office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(18) **STATE.**—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. 208. EFFECT ON OTHER LAWS.

(a) **VACCINE INJURY.**—

(1) To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this subtitle does not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this subtitle in conflict with a rule of law of such title XXI shall not apply to such action.

(2) If there is an aspect of a civil action brought for a vaccine-related injury or death

to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this subtitle or otherwise applicable law (as determined under this subtitle) will apply to such aspect of such action.

(b) **OTHER FEDERAL LAW.**—Except as provided in this section, nothing in this subtitle shall be deemed to affect any defense available to a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. 209. STATE FLEXIBILITY AND PROTECTION OF STATES’ RIGHTS.

(a) **HEALTH CARE LAWSUITS.**—The provisions governing health care lawsuits set forth in this subtitle preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this subtitle. The provisions governing health care lawsuits set forth in this subtitle supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this subtitle; or

(2) prohibits the introduction of evidence regarding collateral source benefits, or mandates or permits subrogation or a lien on collateral source benefits.

(b) **PROTECTION OF STATES’ RIGHTS AND OTHER LAWS.**—(1) Any issue that is not governed by any provision of law established by or under this subtitle (including State standards of negligence) shall be governed by otherwise applicable State or Federal law.

(2) This subtitle shall not preempt or supersede any State or Federal law that imposes greater procedural or substantive protections for health care providers and health care organizations from liability, loss, or damages than those provided by this subtitle or create a cause of action.

(c) **STATE FLEXIBILITY.**—No provision of this subtitle shall be construed to preempt—

(1) any State law (whether effective before, on, or after the date of the enactment of this Act) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this subtitle, notwithstanding section 202(a); or

(2) any defense available to a party in a health care lawsuit under any other provision of State or Federal law.

SEC. 210. APPLICABILITY; EFFECTIVE DATE.

This subtitle shall apply to any health care lawsuit brought in a Federal or State court, or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this Act, except that any health care lawsuit arising from an injury occurring prior to the date of the enactment of this Act shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

Subtitle B—Application of Medicare Improvement Fund

SEC. 211. APPLICATION OF MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “for services furnished” and all that follows and inserting “for services furnished on or after January 1, 2010, \$0.”.

**Subtitle C—Pathway for Biosimilar
Biological Products**

**SEC. 221. LICENSURE PATHWAY FOR BIOSIMILAR
BIOLOGICAL PRODUCTS.**

(a) LICENSURE OF BIOLOGICAL PRODUCTS AS BIOSIMILAR OR INTERCHANGEABLE.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended—

(1) in subsection (a)(1)(A), by inserting “under this subsection or subsection (k)” after “biologics license”; and

(2) by adding at the end the following:

“(k) LICENSURE OF BIOLOGICAL PRODUCTS AS BIOSIMILAR OR INTERCHANGEABLE.—

“(1) IN GENERAL.—Any person may submit an application for licensure of a biological product under this subsection.

“(2) CONTENT.—

“(A) IN GENERAL.—

“(i) REQUIRED INFORMATION.—An application submitted under this subsection shall include information demonstrating that—

“(I) the biological product is biosimilar to a reference product based upon data derived from—

“(aa) analytical studies that demonstrate that the biological product is highly similar to the reference product notwithstanding minor differences in clinically inactive components;

“(bb) animal studies (including the assessment of toxicity); and

“(cc) a clinical study or studies (including the assessment of immunogenicity and pharmacokinetics or pharmacodynamics) that are sufficient to demonstrate safety, purity, and potency in 1 or more appropriate conditions of use for which the reference product is licensed and intended to be used and for which licensure is sought for the biological product;

“(II) the biological product and reference product utilize the same mechanism or mechanisms of action for the condition or conditions of use prescribed, recommended, or suggested in the proposed labeling, but only to the extent the mechanism or mechanisms of action are known for the reference product;

“(III) the condition or conditions of use prescribed, recommended, or suggested in the labeling proposed for the biological product have been previously approved for the reference product;

“(IV) the route of administration, the dosage form, and the strength of the biological product are the same as those of the reference product; and

“(V) the facility in which the biological product is manufactured, processed, packed, or held meets standards designed to assure that the biological product continues to be safe, pure, and potent.

“(ii) DETERMINATION BY SECRETARY.—The Secretary may determine, in the Secretary’s discretion, that an element described in clause (i)(I) is unnecessary in an application submitted under this subsection.

“(iii) ADDITIONAL INFORMATION.—An application submitted under this subsection—

“(I) shall include publicly available information regarding the Secretary’s previous determination that the reference product is safe, pure, and potent; and

“(II) may include any additional information in support of the application, including publicly available information with respect to the reference product or another biological product.

“(B) INTERCHANGEABILITY.—An application (or a supplement to an application) submitted under this subsection may include information demonstrating that the biological product meets the standards described in paragraph (4).

“(3) EVALUATION BY SECRETARY.—Upon review of an application (or a supplement to an application) submitted under this sub-

section, the Secretary shall license the biological product under this subsection if—

“(A) the Secretary determines that the information submitted in the application (or the supplement) is sufficient to show that the biological product—

“(i) is biosimilar to the reference product; or

“(ii) meets the standards described in paragraph (4), and therefore is interchangeable with the reference product; and

“(B) the applicant (or other appropriate person) consents to the inspection of the facility that is the subject of the application, in accordance with subsection (c).

“(4) SAFETY STANDARDS FOR DETERMINING INTERCHANGEABILITY.—Upon review of an application submitted under this subsection or any supplement to such application, the Secretary shall determine the biological product to be interchangeable with the reference product if the Secretary determines that the information submitted in the application (or a supplement to such application) is sufficient to show that—

“(A) the biological product—

“(i) is biosimilar to the reference product; and

“(ii) can be expected to produce the same clinical result as the reference product in any given patient; and

“(B) for a biological product that is administered more than once to an individual, the risk in terms of safety or diminished efficacy of alternating or switching between use of the biological product and the reference product is not greater than the risk of using the reference product without such alternation or switch.

“(5) GENERAL RULES.—

“(A) ONE REFERENCE PRODUCT PER APPLICATION.—A biological product, in an application submitted under this subsection, may not be evaluated against more than 1 reference product.

“(B) REVIEW.—An application submitted under this subsection shall be reviewed by the division within the Food and Drug Administration that is responsible for the review and approval of the application under which the reference product is licensed.

“(C) RISK EVALUATION AND MITIGATION STRATEGIES.—The authority of the Secretary with respect to risk evaluation and mitigation strategies under the Federal Food, Drug, and Cosmetic Act shall apply to biological products licensed under this subsection in the same manner as such authority applies to biological products licensed under subsection (a).

“(D) RESTRICTIONS ON BIOLOGICAL PRODUCTS CONTAINING DANGEROUS INGREDIENTS.—If information in an application submitted under this subsection, in a supplement to such an application, or otherwise available to the Secretary shows that a biological product—

“(i) is, bears, or contains a select agent or toxin listed in section 73.3 or 73.4 of title 42, section 121.3 or 121.4 of title 9, or section 331.3 of title 7, Code of Federal Regulations (or any successor regulations); or

“(ii) is, bears, or contains a controlled substance in schedule I or II of section 202 of the Controlled Substances Act, as listed in part 1308 of title 21, Code of Federal Regulations (or any successor regulations);

the Secretary shall not license the biological product under this subsection unless the Secretary determines, after consultation with appropriate national security and drug enforcement agencies, that there would be no increased risk to the security or health of the public from licensing such biological product under this subsection.

“(6) EXCLUSIVITY FOR FIRST INTERCHANGEABLE BIOLOGICAL PRODUCT.—Upon review of an application submitted under this subsection relying on the same reference product for which a prior biological product has

received a determination of interchangeability for any condition of use, the Secretary shall not make a determination under paragraph (4) that the second or subsequent biological product is interchangeable for any condition of use until the earlier of—

“(A) 1 year after the first commercial marketing of the first interchangeable biosimilar biological product to be approved as interchangeable for that reference product;

“(B) 18 months after—

“(i) a final court decision on all patents in suit in an action instituted under subsection (1)(5) against the applicant that submitted the application for the first approved interchangeable biosimilar biological product; or

“(ii) the dismissal with or without prejudice of an action instituted under subsection (1)(5) against the applicant that submitted the application for the first approved interchangeable biosimilar biological product; or

“(C)(i) 42 months after approval of the first interchangeable biosimilar biological product if the applicant that submitted such application has been sued under subsection (1)(5) and such litigation is still ongoing within such 42-month period; or

“(ii) 18 months after approval of the first interchangeable biosimilar biological product if the applicant that submitted such application has not been sued under subsection (1)(5).

For purposes of this paragraph, the term ‘final court decision’ means a final decision of a court from which no appeal (other than a petition to the United States Supreme Court for a writ of certiorari) has been or can be taken.

“(7) EXCLUSIVITY FOR REFERENCE PRODUCT.—

“(A) EFFECTIVE DATE OF BIOSIMILAR APPLICATION APPROVAL.—Approval of an application under this subsection may not be made effective by the Secretary until the date that is 12 years after the date on which the reference product was first licensed under subsection (a).

“(B) FILING PERIOD.—An application under this subsection may not be submitted to the Secretary until the date that is 4 years after the date on which the reference product was first licensed under subsection (a).

“(C) FIRST LICENSURE.—Subparagraphs (A) and (B) shall not apply to a license for or approval of—

“(i) a supplement for the biological product that is the reference product; or

“(ii) a subsequent application filed by the same sponsor or manufacturer of the biological product that is the reference product (or a licensor, predecessor in interest, or other related entity) for—

“(I) a change (not including a modification to the structure of the biological product) that results in a new indication, route of administration, dosing schedule, dosage form, delivery system, delivery device, or strength; or

“(II) a modification to the structure of the biological product that does not result in a change in safety, purity, or potency.

“(8) PEDIATRIC STUDIES.—

“(A) EXCLUSIVITY.—If, before or after licensure of the reference product under subsection (a) of this section, the Secretary determines that information relating to the use of such product in the pediatric population may produce health benefits in that population, the Secretary makes a written request for pediatric studies (which shall include a timeframe for completing such studies), the applicant or holder of the approved application agrees to the request, such studies are completed using appropriate formulations for each age group for which the study is requested within any such timeframe, and

the reports thereof are submitted and accepted in accordance with section 505A(d)(3) of the Federal Food, Drug, and Cosmetic Act the period referred to in paragraph (7)(A) of this subsection is deemed to be 12 years and 6 months rather than 12 years.

“(B) EXCEPTION.—The Secretary shall not extend the period referred to in subparagraph (A) of this paragraph if the determination under section 505A(d)(3) of the Federal Food, Drug, and Cosmetic Act is made later than 9 months prior to the expiration of such period.

“(C) APPLICATION OF CERTAIN PROVISIONS.—The provisions of subsections (a), (d), (e), (f), (h), (j), (k), and (l) of section 505A of the Federal Food, Drug, and Cosmetic Act shall apply with respect to the extension of a period under subparagraph (A) of this paragraph to the same extent and in the same manner as such provisions apply with respect to the extension of a period under subsection (b) or (c) of section 505A of the Federal Food, Drug, and Cosmetic Act.

“(9) GUIDANCE DOCUMENTS.—

“(A) IN GENERAL.—The Secretary may, after opportunity for public comment, issue guidance in accordance, except as provided in subparagraph (B)(i), with section 701(h) of the Federal Food, Drug, and Cosmetic Act with respect to the licensure of a biological product under this subsection. Any such guidance may be general or specific.

“(B) PUBLIC COMMENT.—

“(i) IN GENERAL.—The Secretary shall provide the public an opportunity to comment on any proposed guidance issued under subparagraph (A) before issuing final guidance.

“(ii) INPUT REGARDING MOST VALUABLE GUIDANCE.—The Secretary shall establish a process through which the public may provide the Secretary with input regarding priorities for issuing guidance.

“(C) NO REQUIREMENT FOR APPLICATION CONSIDERATION.—The issuance (or non-issuance) of guidance under subparagraph (A) shall not preclude the review of, or action on, an application submitted under this subsection.

“(D) REQUIREMENT FOR PRODUCT CLASS-SPECIFIC GUIDANCE.—If the Secretary issues product class-specific guidance under subparagraph (A), such guidance shall include a description of—

“(i) the criteria that the Secretary will use to determine whether a biological product is highly similar to a reference product in such product class; and

“(ii) the criteria, if available, that the Secretary will use to determine whether a biological product meets the standards described in paragraph (4).

“(E) CERTAIN PRODUCT CLASSES.—

“(i) GUIDANCE.—The Secretary may indicate in a guidance document that the science and experience, as of the date of such guidance, with respect to a product or product class (not including any recombinant protein) does not allow approval of an application for a license as provided under this subsection for such product or product class.

“(ii) MODIFICATION OR REVERSAL.—The Secretary may issue a subsequent guidance document under subparagraph (A) to modify or reverse a guidance document under clause (i).

“(iii) NO EFFECT ON ABILITY TO DENY LICENSE.—Clause (i) shall not be construed to require the Secretary to approve a product with respect to which the Secretary has not indicated in a guidance document that the science and experience, as described in clause (i), does not allow approval of such an application.

“(10) NAMING.—The Secretary shall ensure that the labeling and packaging of each biological product licensed under this subsection bears a name that uniquely identifies the biological product and distinguishes it

from the reference product and any other biological products licensed under this subsection following evaluation against such reference product.

“(1) PATENT NOTICES; RELATIONSHIP TO FINAL APPROVAL.—

“(1) DEFINITIONS.—For the purposes of this subsection, the term—

“(A) ‘biosimilar product’ means the biological product that is the subject of the application under subsection (k);

“(B) ‘relevant patent’ means a patent that—

“(i) expires after the date specified in subsection (k)(7)(A) that applies to the reference product; and

“(ii) could reasonably be asserted against the applicant due to the unauthorized making, use, sale, or offer for sale within the United States, or the importation into the United States of the biosimilar product, or materials used in the manufacture of the biosimilar product, or due to a use of the biosimilar product in a method of treatment that is indicated in the application;

“(C) ‘reference product sponsor’ means the holder of an approved application or license for the reference product; and

“(D) ‘interested third party’ means a person other than the reference product sponsor that owns a relevant patent, or has the right to commence or participate in an action for infringement of a relevant patent.

“(2) HANDLING OF CONFIDENTIAL INFORMATION.—Any entity receiving confidential information pursuant to this subsection shall designate one or more individuals to receive such information. Each individual so designated shall execute an agreement in accordance with regulations promulgated by the Secretary. The regulations shall require each such individual to take reasonable steps to maintain the confidentiality of information received pursuant to this subsection and use the information solely for purposes authorized by this subsection. The obligations imposed on an individual who has received confidential information pursuant to this subsection shall continue until the individual returns or destroys the confidential information, a court imposes a protective order that governs the use or handling of the confidential information, or the party providing the confidential information agrees to other terms or conditions regarding the handling or use of the confidential information.

“(3) PUBLIC NOTICE BY SECRETARY.—Within 30 days of acceptance by the Secretary of an application filed under subsection (k), the Secretary shall publish a notice identifying—

“(A) the reference product identified in the application; and

“(B) the name and address of an agent designated by the applicant to receive notices pursuant to paragraph (4)(B).

“(4) EXCHANGES CONCERNING PATENTS.—

“(A) EXCHANGES WITH REFERENCE PRODUCT SPONSOR.—

“(i) Within 30 days of the date of acceptance of the application by the Secretary, the applicant shall provide the reference product sponsor with a copy of the application and information concerning the biosimilar product and its production. This information shall include a detailed description of the biosimilar product, its method of manufacture, and the materials used in the manufacture of the product.

“(ii) Within 60 days of the date of receipt of the information required to be provided under clause (i), the reference product sponsor shall provide to the applicant a list of relevant patents owned by the reference product sponsor, or in respect of which the reference product sponsor has the right to commence an action of infringement or oth-

erwise has an interest in the patent as such patent concerns the biosimilar product.

“(iii) If the reference product sponsor is issued or acquires an interest in a relevant patent after the date on which the reference product sponsor provides the list required by clause (ii) to the applicant, the reference product sponsor shall identify that patent to the applicant within 30 days of the date of issue of the patent, or the date of acquisition of the interest in the patent, as applicable.

“(B) EXCHANGES WITH INTERESTED THIRD PARTIES.—

“(i) At any time after the date on which the Secretary publishes a notice for an application under paragraph (3), any interested third party may provide notice to the designated agent of the applicant that the interested third party owns or has rights under 1 or more patents that may be relevant patents. The notice shall identify at least 1 patent and shall designate an individual who has executed an agreement in accordance with paragraph (2) to receive confidential information from the applicant.

“(ii) Within 30 days of the date of receiving notice pursuant to clause (i), the applicant shall send to the individual designated by the interested third party the information specified in subparagraph (A)(i), unless the applicant and interested third party otherwise agree.

“(iii) Within 90 days of the date of receiving information pursuant to clause (ii), the interested third party shall provide to the applicant a list of relevant patents which the interested third party owns, or in respect of which the interested third party has the right to commence or participate in an action for infringement.

“(iv) If the interested third party is issued or acquires an interest in a relevant patent after the date on which the interested third party provides the list required by clause (iii), the interested third party shall identify that patent within 30 days of the date of issue of the patent, or the date of acquisition of the interest in the patent, as applicable.

“(C) IDENTIFICATION OF BASIS FOR INFRINGEMENT.—For any patent identified under clause (ii) or (iii) of subparagraph (A) or under clause (iii) or (iv) of subparagraph (B), the reference product sponsor or the interested third party, as applicable—

“(i) shall explain in writing why the sponsor or the interested third party believes the relevant patent would be infringed by the making, use, sale, or offer for sale within the United States, or importation into the United States, of the biosimilar product or by a use of the biosimilar product in treatment that is indicated in the application;

“(ii) may specify whether the relevant patent is available for licensing; and

“(iii) shall specify the number and date of expiration of the relevant patent.

“(D) CERTIFICATION BY APPLICANT CONCERNING IDENTIFIED RELEVANT PATENTS.—Not later than 45 days after the date on which a patent is identified under clause (ii) or (iii) of subparagraph (A) or under clause (iii) or (iv) of subparagraph (B), the applicant shall send a written statement regarding each identified patent to the party that identified the patent. Such statement shall either—

“(i) state that the applicant will not commence marketing of the biosimilar product and has requested the Secretary to not grant final approval of the application before the date of expiration of the noticed patent; or

“(ii) provide a detailed written explanation setting forth the reasons why the applicant believes—

“(I) the making, use, sale, or offer for sale within the United States, or the importation into the United States, of the biosimilar product, or the use of the biosimilar product

in a treatment indicated in the application, would not infringe the patent; or

“(II) the patent is invalid or unenforceable.

“(5) ACTION FOR INFRINGEMENT INVOLVING REFERENCE PRODUCT SPONSOR.—If an action for infringement concerning a relevant patent identified by the reference product sponsor under clause (ii) or (iii) of paragraph (4)(A), or by an interested third party under clause (iii) or (iv) of paragraph (4)(B), is brought within 60 days of the date of receipt of a statement under paragraph (4)(D)(ii), and the court in which such action has been commenced determines the patent is infringed prior to the date applicable under subsection (k)(7)(A) or (k)(8), the Secretary shall make approval of the application effective on the day after the date of expiration of the patent that has been found to be infringed. If more than one such patent is found to be infringed by the court, the approval of the application shall be made effective on the day after the date that the last such patent expires.

“(6) NOTIFICATION OF AGREEMENTS.—

“(A) REQUIREMENTS.—

“(i) AGREEMENT BETWEEN BIOSIMILAR PRODUCT APPLICANT AND REFERENCE PRODUCT SPONSOR.—If a biosimilar product applicant under subsection (k) and the reference product sponsor enter into an agreement described in subparagraph (B), the applicant and sponsor shall each file the agreement in accordance with subparagraph (C).

“(ii) AGREEMENT BETWEEN BIOSIMILAR PRODUCT APPLICANTS.—If 2 or more biosimilar product applicants submit an application under subsection (k) for biosimilar products with the same reference product and enter into an agreement described in subparagraph (B), the applicants shall each file the agreement in accordance with subparagraph (C).

“(B) SUBJECT MATTER OF AGREEMENT.—An agreement described in this subparagraph—

“(i) is an agreement between the biosimilar product applicant under subsection (k) and the reference product sponsor or between 2 or more biosimilar product applicants under subsection (k) regarding the manufacture, marketing, or sale of—

“(I) the biosimilar product (or biosimilar products) for which an application was submitted; or

“(II) the reference product;

“(ii) includes any agreement between the biosimilar product applicant under subsection (k) and the reference product sponsor or between 2 or more biosimilar product applicants under subsection (k) that is contingent upon, provides a contingent condition for, or otherwise relates to an agreement described in clause (i); and

“(iii) excludes any agreement that solely concerns—

“(I) purchase orders for raw material supplies;

“(II) equipment and facility contracts;

“(III) employment or consulting contracts; or

“(IV) packaging and labeling contracts.

“(C) FILING.—

“(i) IN GENERAL.—The text of an agreement required to be filed by subparagraph (A) shall be filed with the Assistant Attorney General and the Federal Trade Commission not later than—

“(I) 10 business days after the date on which the agreement is executed; and

“(II) prior to the date of the first commercial marketing of, for agreements described in subparagraph (A)(i), the biosimilar product that is the subject of the application or, for agreements described in subparagraph (A)(ii), any biosimilar product that is the subject of an application described in such subparagraph.

“(ii) IF AGREEMENT NOT REDUCED TO TEXT.—If an agreement required to be filed by sub-

paragraph (A) has not been reduced to text, the persons required to file the agreement shall each file written descriptions of the agreement that are sufficient to disclose all the terms and conditions of the agreement.

“(iii) CERTIFICATION.—The chief executive officer or the company official responsible for negotiating any agreement required to be filed by subparagraph (A) shall include in any filing under this paragraph a certification as follows: ‘I declare under penalty of perjury that the following is true and correct: The materials filed with the Federal Trade Commission and the Department of Justice under section 351(1)(6) of the Public Health Service Act, with respect to the agreement referenced in this certification: (1) represent the complete, final, and exclusive agreement between the parties; (2) include any ancillary agreements that are contingent upon, provide a contingent condition for, or are otherwise related to, the referenced agreement; and (3) include written descriptions of any oral agreements, representations, commitments, or promises between the parties that are responsive to such section and have not been reduced to writing.’.

“(D) DISCLOSURE EXEMPTION.—Any information or documentary material filed with the Assistant Attorney General or the Federal Trade Commission pursuant to this paragraph shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding. Nothing in this subparagraph prevents disclosure of information or documentary material to either body of the Congress or to any duly authorized committee or subcommittee of the Congress.

“(E) ENFORCEMENT.—

“(i) CIVIL PENALTY.—Any person that violates a provision of this paragraph shall be liable for a civil penalty of not more than \$11,000 for each day on which the violation occurs. Such penalty may be recovered in a civil action—

“(I) brought by the United States; or

“(II) brought by the Federal Trade Commission in accordance with the procedures established in section 16(a)(1) of the Federal Trade Commission Act.

“(ii) COMPLIANCE AND EQUITABLE RELIEF.—If any person violates any provision of this paragraph, the United States district court may order compliance, and may grant such other equitable relief as the court in its discretion determines necessary or appropriate, upon application of the Assistant Attorney General or the Federal Trade Commission.

“(F) RULEMAKING.—The Federal Trade Commission, with the concurrence of the Assistant Attorney General and by rule in accordance with section 553 of title 5, United States Code, consistent with the purposes of this paragraph—

“(i) may define the terms used in this paragraph;

“(ii) may exempt classes of persons or agreements from the requirements of this paragraph; and

“(iii) may prescribe such other rules as may be necessary and appropriate to carry out the purposes of this paragraph.

“(G) SAVINGS CLAUSE.—Any action taken by the Assistant Attorney General or the Federal Trade Commission, or any failure of the Assistant Attorney General or the Commission to take action, under this paragraph shall not at any time bar any proceeding or any action with respect to any agreement between a biosimilar product applicant under subsection (k) and the reference product sponsor, or any agreement between biosimilar product applicants under subsection (k), under any other provision of law, nor

shall any filing under this paragraph constitute or create a presumption of any violation of any competition laws.”.

(b) DEFINITIONS.—Section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)) is amended—

(1) by striking “In this section, the term ‘biological product’ means” and inserting the following: “In this section:

“(1) The term ‘biological product’ means”;

(2) in paragraph (1), as so designated, by inserting “protein (except any chemically synthesized polypeptide),” after “allergenic product,”; and

(3) by adding at the end the following:

“(2) The term ‘biosimilar’ or ‘biosimilarity’, in reference to a biological product that is the subject of an application under subsection (k), means—

“(A) that the biological product is highly similar to the reference product notwithstanding minor differences in clinically inactive components; and

“(B) there are no clinically meaningful differences between the biological product and the reference product in terms of the safety, purity, and potency of the product.

“(3) The term ‘interchangeable’ or ‘interchangeability’, in reference to a biological product that is shown to meet the standards described in subsection (k)(4), means that the biological product may be substituted for the reference product without the intervention of the health care provider who prescribed the reference product.

“(4) The term ‘reference product’ means the single biological product licensed under subsection (a) against which a biological product is evaluated in an application submitted under subsection (k).”.

(c) PRODUCTS PREVIOUSLY APPROVED UNDER SECTION 505.—

(1) REQUIREMENT TO FOLLOW SECTION 351.—Except as provided in paragraph (2), an application for a biological product shall be submitted under section 351 of the Public Health Service Act (42 U.S.C. 262) (as amended by this Act).

(2) EXCEPTION.—An application for a biological product may be submitted under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) if—

(A) such biological product is in a product class for which a biological product in such product class is the subject of an application approved under such section 505 not later than the date of enactment of this Act; and

(B) such application—

(i) has been submitted to the Secretary of Health and Human Services (referred to in this Act as the “Secretary”) before the date of enactment of this Act; or

(ii) is submitted to the Secretary not later than the date that is 10 years after the date of enactment of this Act.

(3) LIMITATION.—Notwithstanding paragraph (2), an application for a biological product may not be submitted under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) if there is another biological product approved under subsection (a) of section 351 of the Public Health Service Act that could be a reference product with respect to such application (within the meaning of such section 351) if such application were submitted under subsection (k) of such section 351.

(4) DEEMED APPROVED UNDER SECTION 351.—An approved application for a biological product under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) shall be deemed to be a license for the biological product under such section 351 on the date that is 10 years after the date of enactment of this Act.

(5) DEFINITIONS.—For purposes of this subsection, the term “biological product” has the meaning given such term under section

351 of the Public Health Service Act (42 U.S.C. 262) (as amended by this Act).

SEC. 222. FEES RELATING TO BIOSIMILAR BIOLOGICAL PRODUCTS.

Subparagraph (B) of section 735(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g(1)) is amended by inserting “, including licensure of a biological product under section 351(k) of such Act” before the period at the end.

SEC. 223. AMENDMENTS TO CERTAIN PATENT PROVISIONS.

(a) Section 271(e)(2) of title 35, United States Code is amended—

(1) in subparagraph (A), by striking “or” after “patent,”;

(2) in subparagraph (B), by adding “or” after the comma at the end;

(3) by inserting the following after subparagraph (B):

“(C) a statement under section 351(l)(4)(D)(ii) of the Public Health Service Act,”; and

(4) in the matter following subparagraph (C) (as added by paragraph (3)), by inserting before the period the following: “, or if the statement described in subparagraph (C) is provided in connection with an application to obtain a license to engage in the commercial manufacture, use, or sale of a biological product claimed in a patent or the use of which is claimed in a patent before the expiration of such patent”.

(b) Section 271(e)(4) of title 35, United States Code, is amended by striking “in paragraph (2)” in both places it appears and inserting “in paragraph (2)(A) or (2)(B)”.

Subtitle D—Administrative Simplification

SEC. 231. ADMINISTRATIVE SIMPLIFICATION.

(a) OPERATING RULES FOR HEALTH INFORMATION TRANSACTIONS.—

(1) DEFINITION OF OPERATING RULES.—Section 1171 of the Social Security Act (42 U.S.C. 1320d) is amended by adding at the end the following:

“(9) OPERATING RULES.—The term ‘operating rules’ means the necessary business rules and guidelines for the electronic exchange of information that are not defined by a standard or its implementation specifications as adopted for purposes of this part.”.

(2) OPERATING RULES AND COMPLIANCE.—Section 1173 of the Social Security Act (42 U.S.C. 1320d-2) is amended—

(A) in subsection (a)(2), by adding at the end the following new subparagraph:

“(J) Electronic funds transfers.”; and

(B) by adding at the end the following new subsections:

“(g) OPERATING RULES.—

“(1) IN GENERAL.—The Secretary shall adopt a single set of operating rules for each transaction described in subsection (a)(2) with the goal of creating as much uniformity in the implementation of the electronic standards as possible. Such operating rules shall be consensus-based and reflect the necessary business rules affecting health plans and health care providers and the manner in which they operate pursuant to standards issued under Health Insurance Portability and Accountability Act of 1996.

“(2) OPERATING RULES DEVELOPMENT.—In adopting operating rules under this subsection, the Secretary shall rely on recommendations for operating rules developed by a qualified nonprofit entity, as selected by the Secretary, that meets the following requirements:

“(A) The entity focuses its mission on administrative simplification.

“(B) The entity demonstrates an established multi-stakeholder and consensus-based process for development of operating rules, including representation by or participation from health plans, health care pro-

viders, vendors, relevant Federal agencies, and other standard development organizations.

“(C) The entity has established a public set of guiding principles that ensure the operating rules and process are open and transparent.

“(D) The entity coordinates its activities with the HIT Policy Committee and the HIT Standards Committee (as established under title XXX of the Public Health Service Act) and complements the efforts of the Office of the National Healthcare Coordinator and its related health information exchange goals.

“(E) The entity incorporates national standards, including the transaction standards issued under Health Insurance Portability and Accountability Act of 1996.

“(F) The entity supports nondiscrimination and conflict of interest policies that demonstrate a commitment to open, fair, and nondiscriminatory practices.

“(G) The entity allows for public review and updates of the operating rules.

“(3) REVIEW AND RECOMMENDATIONS.—The National Committee on Vital and Health Statistics shall—

“(A) review the operating rules developed by a nonprofit entity described under paragraph (2);

“(B) determine whether such rules represent a consensus view of the health care industry and are consistent with and do not alter current standards;

“(C) evaluate whether such rules are consistent with electronic standards adopted for health information technology; and

“(D) submit to the Secretary a recommendation as to whether the Secretary should adopt such rules.

“(4) IMPLEMENTATION.—

“(A) IN GENERAL.—The Secretary shall adopt operating rules under this subsection, by regulation in accordance with subparagraph (C), following consideration of the rules developed by the non-profit entity described in paragraph (2) and the recommendation submitted by the National Committee on Vital and Health Statistics under paragraph (3)(D) and having ensured consultation with providers.

“(B) ADOPTION REQUIREMENTS; EFFECTIVE DATES.—

“(i) ELIGIBILITY FOR A HEALTH PLAN AND HEALTH CLAIM STATUS.—The set of operating rules for transactions for eligibility for a health plan and health claim status shall be adopted not later than July 1, 2011, in a manner ensuring that such rules are effective not later than January 1, 2013, and may allow for the use of a machine readable identification card.

“(ii) ELECTRONIC FUNDS TRANSFERS AND HEALTH CARE PAYMENT AND REMITTANCE ADVICE.—The set of operating rules for electronic funds transfers and health care payment and remittance advice shall be adopted not later than July 1, 2012, in a manner ensuring that such rules are effective not later than January 1, 2014.

“(iii) OTHER COMPLETED TRANSACTIONS.—The set of operating rules for the remainder of the completed transactions described in subsection (a)(2), including health claims or equivalent encounter information, enrollment and disenrollment in a health plan, health plan premium payments, and referral certification and authorization, shall be adopted not later than July 1, 2014, in a manner ensuring that such rules are effective not later than January 1, 2016.

“(C) EXPEDITED RULEMAKING.—The Secretary shall promulgate an interim final rule applying any standard or operating rule recommended by the National Committee on Vital and Health Statistics pursuant to paragraph (3). The Secretary shall accept public comments on any interim final rule pub-

lished under this subparagraph for 60 days after the date of such publication.

“(h) COMPLIANCE.—

“(1) HEALTH PLAN CERTIFICATION.—

“(A) ELIGIBILITY FOR A HEALTH PLAN, HEALTH CLAIM STATUS, ELECTRONIC FUNDS TRANSFERS, HEALTH CARE PAYMENT AND REMITTANCE ADVICE.—Not later than December 31, 2013, a health plan shall file a statement with the Secretary, in such form as the Secretary may require, certifying that the data and information systems for such plan are in compliance with any applicable standards (as described under paragraph (7) of section 1171) and operating rules (as described under paragraph (9) of such section) for electronic funds transfers, eligibility for a health plan, health claim status, and health care payment and remittance advice, respectively.

“(B) OTHER COMPLETED TRANSACTIONS.—Not later than December 31, 2015, a health plan shall file a statement with the Secretary, in such form as the Secretary may require, certifying that the data and information systems for such plan are in compliance with any applicable standards and operating rules for the remainder of the completed transactions described in subsection (a)(2), including health claims or equivalent encounter information, enrollment and disenrollment in a health plan, health plan premium payments, and referral certification and authorization, respectively. A health plan shall provide the same level of documentation to certify compliance with such transactions as is required to certify compliance with the transactions specified in subparagraph (A).

“(2) DOCUMENTATION OF COMPLIANCE.—A health plan shall provide the Secretary, in such form as the Secretary may require, with adequate documentation of compliance with the standards and operating rules described under paragraph (1). A health plan shall not be considered to have provided adequate documentation and shall not be certified as being in compliance with such standards, unless the health plan—

“(A) demonstrates to the Secretary that the plan conducts the electronic transactions specified in paragraph (1) in a manner that fully complies with the regulations of the Secretary; and

“(B) provides documentation showing that the plan has completed end-to-end testing for such transactions with their partners, such as hospitals and physicians.

“(3) SERVICE CONTRACTS.—A health plan shall be required to comply with any applicable certification and compliance requirements (and provide the Secretary with adequate documentation of such compliance) under this subsection for any entities that provide services pursuant to a contract with such health plan.

“(4) CERTIFICATION BY OUTSIDE ENTITY.—The Secretary may contract with an independent, outside entity to certify that a health plan has complied with the requirements under this subsection, provided that the certification standards employed by such entities are in accordance with any standards or rules issued by the Secretary.

“(5) COMPLIANCE WITH REVISED STANDARDS AND RULES.—A health plan (including entities described under paragraph (3)) shall comply with the certification and documentation requirements under this subsection for any interim final rule promulgated by the Secretary under subsection (i) that amends any standard or operating rule described under paragraph (1) of this subsection. A health plan shall comply with such requirements not later than the effective date of the applicable interim final rule.

“(6) AUDITS OF HEALTH PLANS.—The Secretary shall conduct periodic audits to ensure that health plans (including entities described under paragraph (3)) are in compliance with any standards and operating rules that are described under paragraph (1).

“(i) REVIEW AND AMENDMENT OF STANDARDS AND RULES.—

“(1) ESTABLISHMENT.—Not later than January 1, 2014, the Secretary shall establish a review committee (as described under paragraph (4)).

“(2) EVALUATIONS AND REPORTS.—

“(A) HEARINGS.—Not later than April 1, 2014, and not less than biennially thereafter, the Secretary, acting through the review committee, shall conduct hearings to evaluate and review the existing standards and operating rules established under this section.

“(B) REPORT.—Not later than July 1, 2014, and not less than biennially thereafter, the review committee shall provide recommendations for updating and improving such standards and rules. The review committee shall recommend a single set of operating rules per transaction standard and maintain the goal of creating as much uniformity as possible in the implementation of the electronic standards.

“(3) INTERIM FINAL RULEMAKING.—

“(A) IN GENERAL.—Any recommendations to amend existing standards and operating rules that have been approved by the review committee and reported to the Secretary under paragraph (2)(B) shall be adopted by the Secretary through promulgation of an interim final rule not later than 90 days after receipt of the committee's report.

“(B) PUBLIC COMMENT.—

“(i) PUBLIC COMMENT PERIOD.—The Secretary shall accept public comments on any interim final rule published under this paragraph for 60 days after the date of such publication.

“(ii) EFFECTIVE DATE.—The effective date of any amendment to existing standards or operating rules that is adopted through an interim final rule published under this paragraph shall be 25 months following the close of such public comment period.

“(4) REVIEW COMMITTEE.—

“(A) DEFINITION.—For the purposes of this subsection, the term ‘review committee’ means a committee within the Department of Health and Human Services that has been designated by the Secretary to carry out this subsection, including—

“(i) the National Committee on Vital and Health Statistics; or

“(ii) any appropriate committee as determined by the Secretary.

“(B) COORDINATION OF HIT STANDARDS.—In developing recommendations under this subsection, the review committee shall consider the standards approved by the Office of the National Coordinator for Health Information Technology.

“(j) PENALTIES.—

“(1) PENALTY FEE.—

“(A) IN GENERAL.—Not later than April 1, 2014, and annually thereafter, the Secretary shall assess a penalty fee (as determined under subparagraph (B)) against a health plan that has failed to meet the requirements under subsection (h) with respect to certification and documentation of compliance with the standards (and their operating rules) as described under paragraph (1) of such subsection.

“(B) FEE AMOUNT.—Subject to subparagraphs (C), (D), and (E), the Secretary shall assess a penalty fee against a health plan in the amount of \$1 per covered life until certification is complete. The penalty shall be assessed per person covered by the plan for which its data systems for major medical policies are not in compliance and shall be imposed against the health plan for each day

that the plan is not in compliance with the requirements under subsection (h).

“(C) ADDITIONAL PENALTY FOR MISREPRESENTATION.—A health plan that knowingly provides inaccurate or incomplete information in a statement of certification or documentation of compliance under subsection (h) shall be subject to a penalty fee that is double the amount that would otherwise be imposed under this subsection.

“(D) ANNUAL FEE INCREASE.—The amount of the penalty fee imposed under this subsection shall be increased on an annual basis by the annual percentage increase in total national health care expenditures, as determined by the Secretary.

“(E) PENALTY LIMIT.—A penalty fee assessed against a health plan under this subsection shall not exceed, on an annual basis—

“(i) an amount equal to \$20 per covered life under such plan; or

“(ii) an amount equal to \$40 per covered life under the plan if such plan has knowingly provided inaccurate or incomplete information (as described under subparagraph (C)).

“(F) DETERMINATION OF COVERED INDIVIDUALS.—The Secretary shall determine the number of covered lives under a health plan based upon the most recent statements and filings that have been submitted by such plan to the Securities and Exchange Commission.

“(2) NOTICE AND DISPUTE PROCEDURE.—The Secretary shall establish a procedure for assessment of penalty fees under this subsection that provides a health plan with reasonable notice and a dispute resolution procedure prior to provision of a notice of assessment by the Secretary of the Treasury (as described under paragraph (4)(B)).

“(3) PENALTY FEE REPORT.—Not later than May 1, 2014, and annually thereafter, the Secretary shall provide the Secretary of the Treasury with a report identifying those health plans that have been assessed a penalty fee under this subsection.

“(4) COLLECTION OF PENALTY FEE.—

“(A) IN GENERAL.—The Secretary of the Treasury, acting through the Financial Management Service, shall administer the collection of penalty fees from health plans that have been identified by the Secretary in the penalty fee report provided under paragraph (3).

“(B) NOTICE.—Not later than August 1, 2014, and annually thereafter, the Secretary of the Treasury shall provide notice to each health plan that has been assessed a penalty fee by the Secretary under this subsection. Such notice shall include the amount of the penalty fee assessed by the Secretary and the due date for payment of such fee to the Secretary of the Treasury (as described in subparagraph (C)).

“(C) PAYMENT DUE DATE.—Payment by a health plan for a penalty fee assessed under this subsection shall be made to the Secretary of the Treasury not later than November 1, 2014, and annually thereafter.

“(D) UNPAID PENALTY FEES.—Any amount of a penalty fee assessed against a health plan under this subsection for which payment has not been made by the due date provided under subparagraph (C) shall be—

“(i) increased by the interest accrued on such amount, as determined pursuant to the underpayment rate established under section 6601 of the Internal Revenue Code of 1986; and

“(ii) treated as a past-due, legally enforceable debt owed to a Federal agency for purposes of section 6402(d) of the Internal Revenue Code of 1986.

“(E) ADMINISTRATIVE FEES.—Any fee charged or allocated for collection activities conducted by the Financial Management Service will be passed on to a health plan on

a pro-rata basis and added to any penalty fee collected from the plan.”.

(b) PROMULGATION OF RULES.—

(1) UNIQUE HEALTH PLAN IDENTIFIER.—The Secretary shall promulgate a final rule to establish a unique health plan identifier (as described in section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b))) based on the input of the National Committee of Vital and Health Statistics. The Secretary may do so on an interim final basis and such rule shall be effective not later than October 1, 2012.

(2) ELECTRONIC FUNDS TRANSFER.—The Secretary shall promulgate a final rule to establish a standard for electronic funds transfers (as described in section 1173(a)(2)(J) of the Social Security Act, as added by subsection (a)(2)(A)). The Secretary may do so on an interim final basis and shall adopt such standard not later than January 1, 2012, in a manner ensuring that such standard is effective not later than January 1, 2014.

(c) EXPANSION OF ELECTRONIC TRANSACTIONS IN MEDICARE.—Section 1862(a) of the Social Security Act (42 U.S.C. 1395y(a)) is amended—

(1) in paragraph (23), by striking the “or” at the end;

(2) in paragraph (24), by striking the period and inserting “; or”; and

(3) by inserting after paragraph (24) the following new paragraph:

“(25) not later than January 1, 2014, for which the payment is other than by electronic funds transfer (EFT) or an electronic remittance in a form as specified in ASC X12 835 Health Care Payment and Remittance Advice or subsequent standard.”.

(d) MEDICARE AND MEDICAID COMPLIANCE REPORTS.—Not later than July 1, 2013, the Secretary of Health and Human Services shall submit a report to the Chairs and Ranking Members of the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives and the Chairs and Ranking Members of the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate on the extent to which the Medicare program and providers that serve beneficiaries under that program, and State Medicaid programs and providers that serve beneficiaries under those programs, transact electronically in accordance with transaction standards issued under the Health Insurance Portability and Accountability Act of 1996, part C of title XI of the Social Security Act, and regulations promulgated under such Acts.

Mr. GINGREY of Georgia (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

Mr. WAXMAN. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read the motion to recommit.

Mr. WAXMAN (during the reading). Mr. Speaker, I ask unanimous consent that we dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

POINT OF ORDER

Mr. WAXMAN. Mr. Speaker, pursuant to clause 7 of House rule XVI, matters within the motion to recommit are not germane to the underlying bill, and I insist on my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

PARLIAMENTARY INQUIRY

Mr. GINGREY of Georgia. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman from California reserved a point of order. Does that not allow me the opportunity to speak to the point of order?

The SPEAKER pro tempore. The Chair will hear the gentleman on the point of order.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as an OB/GYN physician who knows very well the challenges that our doctors face with the current SGR system. I can say with 100 percent confidence as a physician Member of Congress that this bill, H.R. 3961, is a bad deal. It's a bad deal for doctors, it's a bad deal for patients, and it's a bad deal for the American people upon whom this majority seems content to simply pile another \$210 billion worth of debt.

Mr. WAXMAN. Mr. Speaker, I don't believe the gentleman's argument is pertinent to the point of order. I insist on my point of order.

The SPEAKER pro tempore. The gentleman from Georgia must confine his remarks to the point of order.

Mr. GINGREY of Georgia. Mr. Speaker, during his meeting earlier this week with Chinese President Hu Jintao, I hope that President Obama asked for that \$210 billion, because that's how the majority plans to pay for this bill, by borrowing more money from the Chinese.

The SPEAKER pro tempore. The gentleman must confine his remarks to the point of order.

Mr. GINGREY of Georgia. Mr. Speaker, I will proceed.

To make matters worse, and contrary to the assertions of this majority, this bill does not fix our physician reimbursement problem, but it simply replaces one flawed system for another.

So, Mr. Speaker, my motion to recommit ensures that physicians are reimbursed fairly and that this reimbursement is fully paid for and would add not one cent to the deficit.

The SPEAKER pro tempore. The Chair will remind the Member to confine his remarks to the point of order.

Mr. GINGREY of Georgia. Allow me to explain, Mr. Speaker.

This motion to recommit will provide physicians with a 2 percent Medicare payment rate increase in each of the next 4 years. The motion to recommit would erase the scheduled 21 percent cut in 2010—

Mr. WAXMAN. Mr. Speaker, I insist on my point of order.

The SPEAKER pro tempore. The Chair will remind the Member to confine his remarks to the point of order.

The Chair is prepared to rule.

Mr. GINGREY of Georgia. Mr. Speaker, am I allowed to continue?

The SPEAKER pro tempore. The gentleman may continue on the point of order.

Mr. GINGREY of Georgia. Mr. Speaker, the motion to recommit would erase the scheduled 21 percent cut in 2010 and the estimated 5 percent cuts in 2011, 2012, and 2013. The Democratic bill would only provide eight-tenths of 1 percent payment rate increase.

The SPEAKER pro tempore. The gentleman must confine his remarks to the point of order.

Mr. GINGREY of Georgia. Mr. Speaker, in this underlying bill, we actually pay for our plan by enacting legislation that will not only achieve savings, but will also—

The SPEAKER pro tempore. The Chair reminds the gentleman that he must confine his remarks to the point of order.

The Chair is prepared to rule.

The gentleman from Georgia may proceed on the point of order.

Mr. GINGREY of Georgia. Mr. Speaker, on the point of order, I would like to say that unlike the underlying bill, we actually pay for our plan by enacting legislation that will not only achieve savings, but it will also improve—

The SPEAKER pro tempore. The gentleman must confine his remarks to the point of order.

The Chair is ready to rule.

Mr. GINGREY of Georgia. Mr. Speaker, I'm trying to confine my remarks to the point of order.

The SPEAKER pro tempore. The gentleman must address why the amendment is germane.

Mr. GINGREY of Georgia. In doing so, I say we simply prefer to pay for what we do without raising taxes.

The SPEAKER pro tempore. The Chair will rule.

The gentleman from California makes a point of order that the amendment proposed in the instructions included in the motion to recommit offered by the gentleman from Georgia is not germane.

The bill, H.R. 3961, addresses the narrow topic of payments under the Medicare sustainable growth rate system. The bill adjusts the formulas for the SGR system to alter payments to physicians under that system.

Among other topics, the motion to recommit addresses the subject of medical liability reform. It includes provisions on compensation, court procedure, and liability for damages.

As recorded in section 934 of the House Rules and Manual, a general principle of germaneness is that an amendment must confine itself to the committee of jurisdiction over the subject matters contained in the bill. The bill, H.R. 3961, merited referral only to the Committee on Energy and Commerce and the Committee on Ways and Means. The motion to recommit, addressing the subject of medical liability reform, introduces subject matter properly within the jurisdiction of the Committee on the Judiciary.

The motion is therefore not germane and the point of order is sustained.

Mr. GINGREY of Georgia. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. WAXMAN. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GINGREY of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on passage of the bill, if arising without further proceedings in recommitment, and the motion to suspend the rules on H.R. 1834.

The vote was taken by electronic device, and there were—yeas 251, nays 177, not voting 6, as follows:

[Roll No. 907]

YEAS—251

Abercrombie	Doyle	Kucinich
Ackerman	Driehaus	Langevin
Adler (NJ)	Edwards (MD)	Larsen (WA)
Altmire	Edwards (TX)	Larson (CT)
Andrews	Ellison	Lee (CA)
Arcuri	Ellsworth	Levin
Baca	Engel	Lewis (GA)
Baird	Eshoo	Lipinski
Baldwin	Etheridge	Loebsock
Barrow	Farr	Lofgren, Zoe
Bean	Fattah	Lowe
Becerra	Filner	Lujan
Berkley	Foster	Lynch
Berman	Frank (MA)	Maffei
Berry	Fudge	Maloney
Bishop (GA)	Garamendi	Markey (CO)
Bishop (NY)	Giffords	Markey (MA)
Blumenauer	Gonzalez	Marshall
Bocchieri	Gordon (TN)	Massa
Boren	Grayson	Matheson
Boswell	Green, Al	Matsui
Boucher	Green, Gene	McCarthy (NY)
Boyd	Griffith	McCollum
Brady (PA)	Grijalva	McDermott
Braley (IA)	Gutierrez	McGovern
Brown, Corrine	Hall (NY)	McIntyre
Butterfield	Halvorson	McMahon
Capps	Hare	McNerney
Capuano	Harman	Meek (FL)
Cardoza	Hastings (FL)	Meeks (NY)
Carnahan	Heinrich	Michaud
Carson (IN)	Herseth Sandlin	Miller (NC)
Castor (FL)	Higgins	Mitchell
Chandler	Hill	Mollohan
Childers	Himes	Moore (KS)
Chu	Hinchey	Moore (WI)
Clarke	Hinojosa	Moran (VA)
Clay	Hirono	Murphy (CT)
Cleaver	Hodes	Murphy (NY)
Clyburn	Holden	Murphy, Patrick
Cohen	Holt	Murtha
Connolly (VA)	Honda	Nadler (NY)
Conyers	Hoyer	Napolitano
Cooper	Inslee	Neal (MA)
Costa	Israel	Nye
Costello	Jackson (IL)	Oberstar
Courtney	Jackson-Lee	Obey
Crowley	(TX)	Olver
Cuellar	Johnson (GA)	Ortiz
Cummings	Johnson, E. B.	Owens
Dahlkemper	Kagen	Pallone
Davis (AL)	Kanjorski	Pascarell
Davis (CA)	Kaptur	Pastor (AZ)
Davis (IL)	Kennedy	Payne
Davis (TN)	Kildee	Perlmutter
DeFazio	Kilpatrick (MI)	Perriello
DeGette	Kilroy	Peters
Delahunt	Kind	Peterson
DeLauro	Kirkpatrick (AZ)	Pingree (ME)
Dicks	Kissell	Polis (CO)
Dingell	Klein (FL)	Pomeroy
Doggett	Kosmas	Price (NC)
Donnelly (IN)	Kratovil	Quigley

Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)

Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)

Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—177

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggart
Billray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Fox

Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Ingalls
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick

Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—26

Brown (SC)
Carter

McCaul
Melancon
Miller, George
Wexler

□ 1553

Messrs. LUETKEMEYER, WALDEN, CARNEY and GERLACH changed their vote from “yea” to “nay.”

Mr. WILSON of Ohio, Ms. KILPATRICK of Michigan, Messrs. ELLISON, RODRIGUEZ, JOHNSON of

Georgia and Ms. MCCOLLUM changed their vote from “nay” to “yea.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

MOTION TO RECOMMIT

Mr. CANTOR. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill.

Mr. CANTOR. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cantor moves to recommit the bill, H.R. 3961, to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of the bill the following:

SEC. 3. FINDINGS.

Congress finds that the Secretary of Health and Human Services has the authority to increase payments for services under section 1848 of the Social Security Act (related to payments for physician services) in an amount not to exceed \$22,300,000,000.

SEC. 4. LIMITATIONS.

(a) IN GENERAL.—In executing the amendments made by section 2(b) of this Act the Secretary of Health and Human Services shall implement an adjustment in payments under section 1848 of the Social Security Act under such amendments for 2011 or any subsequent year only to the extent that the Secretary determines that the cost of such adjustment when added to the cost of the amendment made by section 2(a) does not exceed \$22,300,000,000. Such cost determinations shall be calculated based on the difference between net expenditures resulting from the provisions of this Act and anticipated net expenditures for each year under the law as in effect before the date of the enactment of this Act.

(b) CONTINGENCY.—If the Secretary is prevented from implementing an adjustment described in subsection (a) as a result of such subsection, the Secretary shall implement section 1848 of the Social Security Act as such section was in effect before the date of the enactment of this Act.

Mr. WAXMAN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Chair recognizes the gentleman from Virginia for 5 minutes in support of his motion.

Mr. CANTOR. Thank you. Mr. Speaker, we have tried to do everything possible to pay for this doctor fix, and it seems that the majority just refuses to do the fiscally responsible thing. We just offered a proposal that was a fully paid doctor fix that provided our doctors with 2 percent updates for 4 years. The majority blocked this House from even voting on that proposal because they object to paying for the costs of the doctor fix.

It seems that the rules that the majority is using prevent us from paying for this bill simply because, Mr. Speaker, the majority doesn't pay for this bill. Seeing that that is the case, one

has to ask how perverse is that? Because the majority is okay with adding \$250 billion to our debt, the Republicans are prevented under the rules from trying to be responsible and pay for those costs. Is this what passes for fiscal responsibility in the majority party, I ask?

So now we are offering a second motion to recommit that attempts to address the deficit costs while living under the rules imposed on us by the majority. What does this motion do? Very simply, it recognizes that there is a fund already in existing law that has \$22.3 billion in it that can be used to pay for the doctor fix. It further limits spending under this bill to that same amount, \$22.3 billion. That is enough to provide the doctor payment updates for all of 2010 and most, if not all, of 2011 envisioned under the Democratic bill.

So we've identified, Mr. Speaker, an amount of money that is available to pay for 2 years' worth of a doctor fix and limited this bill to 2 years. A vote for this motion to recommit is a vote to recognize that we ought to help our doctors, but we ought to do it in a fiscally responsible manner, and this motion shows us how to do it. I wish we could do more, but the rules imposed on us by the majority simply won't permit it.

So now is the time to choose: Do we want to plan for a fiscally responsible doctor fix or \$250 billion in new debt? Mr. Speaker, I ask this House to vote for fiscal responsibility.

I yield to the gentleman from Georgia, Dr. PRICE.

Mr. PRICE of Georgia. Thank you. As a physician, I know that the SGR, the sustainable growth rate, is neither sustainable nor growing. It is, however, truly destroying the ability of doctors to provide the needed care for patients across our land. And though the underlying bill is an acknowledgement that there is a huge problem and may be a step in the right direction, it exacerbates the phenomenal fiscal recklessness of this administration and the majority party.

As a physician, I know with every fiber of my being that the doctors of this land are sick and tired of being played for fools, duped into support of another nonsolution because there is not a commitment to a responsible revenue stream with a recognition of the care that they provide.

□ 1600

With this trick, the majority deems our Nation's caring and compassionate physicians. So let's commit to solve this challenge together, positively, with a plan that respects those who have dedicated their lives to our health.

Mr. Speaker, our Nation is at a fiscal tipping point. We can continue to march further and further to the liberal left and bankrupt our Nation's future, or we can restore fiscal sanity to an overgrown and unrestrained Federal budget. Our motion to recommit is a

step in the right direction, not another plan that further adds to our Nation's debt and contributes to the financial ruin of future generations.

Mr. Speaker, the American people are demanding a stop to runaway debt. They reject this spending and they reject this trick. Let's stand up for fiscal responsibility and vote for the responsible Republican solution.

Mr. CANTOR. Mr. Speaker, I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker and my colleagues, this motion to recommit proposes to spend \$22.3 billion for a \$210 billion problem. It simply postpones the problem. It is the same old kicking the can down the road. There are no guarantees of cuts when this money runs out. The gentleman from Virginia says his proposal would mean no cuts for 2 years. I am not convinced of that 2-year period. But whatever period of time it would allow for, there would be another cliff, and that is why the American Medical Association wrote to the Honorable DAVE CAMP, ranking member of the Ways and Means Committee, that they oppose anything short of permanent reform. They want us to deal with this problem now and not just kick it down the road. The AMA does not support any motion to recommit that would have a temporary fix.

I want to yield at this time to the gentleman from California (Mr. STARK).

Mr. STARK. I thank the gentleman for yielding only to suggest that being nice doesn't seem to get you much around here.

This motion makes a mockery of the debate. My friends on the other side simply propose the same old same old. They can't even tell us or the American people how this will affect doctors or military families or others. It is legislating in the dark.

The distinguished minority whip voted in committee enthusiastically for the bill that is before us, now seems to have forgotten and changed his mind. It is a continuation of the Republican history of mismanagement of Medicare and dishonest budget gimmicks, and I urge its opposition.

Mr. WAXMAN. Mr. Speaker, I yield to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Speaker, I appreciate the gentleman from California yielding.

As we have seen so many times in the past, ladies and gentlemen, the minority party has again offered a very insincere proposal that does not fix the issue at hand. This proposal is a gimmick that would eventually lead to deep cuts in Medicare.

In contrast, this underlying bill recognizes that the current baseline of physician spending is no longer useful

in projecting obligations for providing physician services to Medicare beneficiaries.

The underlying bill fundamentally addresses this issue that Congress has acted on six times in the last 6 years for a temporary patch that has only made the problem worse. That is what they want to do again.

As my colleague, Ranking Member PAUL RYAN, mentioned earlier, this issue should be resolved in a bipartisan way, but that is not forthcoming here today. In the meantime, we must ensure that our seniors have access to their doctors.

In addition, this bill also addresses the pay-as-you-go rule. Under Republican rules, record surpluses were turned into record deficits as the pay-as-you-go rules expired. We cannot police ourselves with regard to fiscal discipline. That is why we have to have these rules in place. My Blue Dog colleagues and I have urged implementation of this policy for years.

I urge a "no" vote on the MTR and a "yes" vote on the underlying bill.

Mr. WAXMAN. Mr. Speaker, I urge a "no" vote on the motion to recommit and an "aye" vote on the underlying bill, and I yield back the balance of my time.

PARLIAMENTARY INQUIRIES

Mr. CANTOR. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CANTOR. Mr. Speaker, is it true that the Democrats' bill will add \$210 billion to the deficit?

The SPEAKER pro tempore. The Chair does not respond to commentary posed as a parliamentary inquiry.

Mr. CANTOR. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CANTOR. Mr. Speaker, my prior inquiry asked: Would the Democrats' bill add \$210 billion to the deficit, and I would say even the Blue Dogs know that the Democrat bill adds \$210 billion to the deficit.

The SPEAKER pro tempore. The gentleman from Virginia has not stated a parliamentary inquiry.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CANTOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend the rules on H.R. 1834.

The vote was taken by electronic device, and there were—ayes 177, noes 252, not voting 5, as follows:

[Roll No. 908]

AYES—177

Aderholt	Garrett (NJ)	Neugebauer
Adler (NJ)	Gerlach	Nunes
Akin	Gingrey (GA)	Olson
Alexander	Gohmert	Paul
Altmire	Goodlatte	Paulsen
Austria	Granger	Pence
Bachus	Graves	Peterson
Barrett (SC)	Guthrie	Petri
Bartlett	Hall (TX)	Pitts
Barton (TX)	Harper	Poe (TX)
Biggert	Hastings (WA)	Posey
Bilbray	Heller	Price (GA)
Bilirakis	Hensarling	Putnam
Bishop (UT)	Herger	Radanovich
Blackburn	Hoekstra	Rehberg
Boehner	Hunter	Reichert
Bonner	Inglis	Roe (TN)
Bono Mack	Jenkins	Rogers (AL)
Boozman	Johnson (IL)	Rogers (KY)
Boustany	Johnson, Sam	Rogers (MI)
Bright	Jones	Rohrabacher
Brown-Waite,	Jordan (OH)	Rooney
Ginny	King (IA)	Ros-Lehtinen
Buchanan	King (NY)	Roskam
Burgess	Kingston	Royce
Burton (IN)	Kirk	Ryan (WI)
Buyer	Kosmas	Sanchez, Loretta
Calvert	Lamborn	Scalise
Camp	Lance	Schmidt
Campbell	Latham	Schock
Cantor	LaTourette	Sensenbrenner
Cao	Latta	Sessions
Capito	Lee (NY)	Shadegg
Cassidy	Lewis (CA)	Shimkus
Castle	Linder	Shuster
Chaffetz	Lipinski	Simpson
Childers	LoBiondo	Smith (NE)
Coble	Lucas	Smith (NJ)
Coffman (CO)	Luetkemeyer	Smith (TX)
Conaway	Lummis	Souder
Crenshaw	Lungren, Daniel	Stearns
Culberson	E.	Stupak
Davis (KY)	Mack	Sullivan
Deal (GA)	Manzullo	Taylor
Dent	Marchant	Terry
Diaz-Balart, L.	McCarthy (CA)	Thompson (PA)
Diaz-Balart, M.	McClintock	Thornberry
Dreier	McCotter	Tiahrt
Duncan	McHenry	Tiberi
Ehlers	McKeon	Turner
Emerson	McMahon	Upton
Fallin	McMorris	Walden
Flake	Rodgers	Wamp
Fleming	Mica	Westmoreland
Forbes	Miller (FL)	Whitfield
Fortenberry	Miller (MI)	Wilson (SC)
Fox	Miller, Gary	Wittman
Franks (AZ)	Moran (KS)	Wolf
Frelinghuysen	Murphy, Tim	Young (AK)
Gallely	Myrick	Young (FL)

NOES—252

Abercrombie	Brown, Corrine	Davis (AL)
Ackerman	Butterfield	Davis (CA)
Andrews	Capps	Davis (IL)
Arcuri	Capuano	Davis (TN)
Baca	Cardoza	DeFazio
Bachmann	Carnahan	DeGette
Baird	Carney	DeLauro
Baldwin	Carson (IN)	Dicks
Barrow	Castor (FL)	Dingell
Bean	Chandler	Doggett
Becerra	Chu	Donnelly (IN)
Berkley	Clarke	Doyle
Berman	Clay	Driehaus
Berry	Cleaver	Edwards (MD)
Bishop (GA)	Clyburn	Edwards (TX)
Bishop (NY)	Cohen	Ellison
Blumenauer	Cole	Ellsworth
Blunt	Connolly (VA)	Engel
Bocchieri	Conyers	Eshoo
Boren	Cooper	Etheridge
Boswell	Costa	Farr
Boucher	Costello	Fattah
Boyd	Courtney	Filner
Brady (PA)	Crowley	Foster
Brady (TX)	Cuellar	Frank (MA)
Braley (IA)	Cummings	Fudge
Broun (GA)	Dahlkemper	

Garamendi Lowey Ross
 Giffords Luján Rothman (NJ)
 Gonzalez Lynch Roybal-Allard
 Gordon (TN) Maffei Ruppertsberger
 Grayson Maloney Rush
 Green, Al Markey (CO) Ryan (OH)
 Green, Gene Markey (MA) Salazar
 Griffith Marshall Sánchez, Linda
 Grijalva Massa T.
 Gutierrez Matheson Sarbanes
 Hall (NY) Matsui Schakowsky
 Halvorson McCarthy (NY) Schauer
 Hare McCollum Schiff
 Harman McDermott Schrader
 Hastings (FL) McGovern Schwartz
 Heinrich McIntyre Scott (GA)
 Herseht Sandlin McNeerney Scott (VA)
 Higgins Meek (FL) Serrano
 Hill Meeks (NY) Sestak
 Himes Michaud Shea-Porter
 Hinchey Miller (NC) Sherman
 Hinojosa Minnick Shuler
 Hirono Mitchell Sires
 Hodes Mollohan Skelton
 Holden Moore (KS) Slaughter
 Holt Moore (WI) Smith (WA)
 Honda Moran (VA) Snyder
 Hoyer Murphy (CT) Space
 Inslee Murphy (NY) Speier
 Israel Murphy, Patrick Spratt
 Issa Murtha Stark
 Jackson (IL) Nadler (NY) Sutton
 Jackson-Lee Napolitano Tanner
 (TX) Neal (MA) Teague
 Johnson (GA) Nye Thompson (CA)
 Johnson, E. B. Oberstar Thompson (MS)
 Kagen Obey Tierney
 Kanjorski Oliver Titus
 Kaptur Ortiz Tonko
 Kennedy Owens Towns
 Kildee Pallone Tsongas
 Kilpatrick (MI) Pascarell Van Hollen
 Kilroy Pastor (AZ) Velázquez
 Kind Payne Visclosky
 Kirkpatrick (AZ) Perlmutter Walz
 Kissell Perriello Wasserman
 Kline (FL) Peters Schultz
 Kline (MN) Pingree (ME) Waters
 Kratochiv Platts Watson
 Kucinich Polis (CO) Watt
 Langevin Pomeroy Waxman
 Larsen (WA) Price (NC) Weiner
 Larson (CT) Quigley Welch
 Lee (CA) Rahall Wexler
 Levin Rangel Wilson (OH)
 Lewis (GA) Reyes Woolsey
 Loeb sack Richardson Wu
 Lofgren, Zoe Rodriguez Yarmuth

NOT VOTING—5

Brown (SC) McCaul Miller, George
 Carter Melancon

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1622

Mr. CLEAVER changed his vote from “aye” to “no.”

Mr. LAMBORN changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WAXMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 183, not voting 8, as follows:

[Roll No. 909]

AYES—243

Green, Al Neal (MA)
 Green, Gene Nye
 Griffith Oberstar
 Grijalva Obey
 Gutierrez Oliver
 Hall (NY) Ortiz
 Halvorson Owens
 Hare Pallone
 Harman Pascarell
 Hastings (FL) Pastor (AZ)
 Heinrich Payne
 Higgins Perlmutter
 Hill Perriello
 Himes Peters
 Hinchey Pingree (ME)
 Hinojosa Polis (CO)
 Hirono Pomeroy
 Hodes Price (NC)
 Holden Quigley
 Holt Rahall
 Honda Rangel
 Hoyer Reyes
 Inslee Richardson
 Israel Rodriguez
 Jackson (IL) Ross
 Jackson-Lee Rothman (NJ)
 (TX) Roybal-Allard
 Johnson (GA) Ruppertsberger
 Johnson, E. B. Rush
 Kagen Ryan (OH)
 Kanjorski Salazar
 Kaptur Sánchez, Linda
 Kildee T.
 Kilpatrick (MI) Sanchez, Loretta
 Kilroy Sarbanes
 Kind Schakowsky
 Kirkpatrick (AZ) Schauer
 Kissell Schiff
 Klein (FL) Schrader
 Klein (MN) Schwartz
 Kratochiv Scott (GA)
 Kucinich Scott (VA)
 Langevin Serrano
 Larson (WA) Sestak
 Larson (CT) Shea-Porter
 Lee (CA) Levin
 Levin Sherman
 Lewis (GA) Shuler
 Loeb sack Sires
 Lofgren, Zoe Skelton
 Lowey Slaughter
 Luján Snyder
 Lynch Space
 Maffei Speier
 Maloney Spratt
 Markey (CO) Stark
 Markey (MA) Stupak
 Marshall Sutton
 Massa Tanner
 Matheson Teague
 Matsui Thompson (CA)
 McCarthy (NY) Thompson (MS)
 McCollum Tierney
 McDermott Titus
 McGovern Tonko
 McIntyre Tsongas
 McNeerney Van Hollen
 Meek (FL) Velázquez
 Meeks (NY) Visclosky
 Michaud Walz
 Miller (NC) Wasserman
 Minnick Schultz
 Mitchell Waters
 Mollohan Watson
 Moore (KS) Watt
 Moore (WI) Waxman
 Moran (VA) Weiner
 Murphy (CT) Welch
 Murphy (NY) Wexler
 Murphy, Patrick Wilson (OH)
 Murtha Woolsey
 Nadler (NY) Wu
 Napolitano Yarmuth

NOES—183

Bilirakis Brown-Waite,
 Bishop (UT) Ginny
 Blackburn Buchanan
 Blunt Burton (IN)
 Boehner Buyer
 Bonner Calvert
 Bono Mack Camp
 Boozman Campbell
 Boren Cantor
 Boustany Cao
 Broun (GA) Capito
 Cassidy

Castle Jordan (OH)
 Chaffetz King (IA)
 Coble King (NY)
 Coffman (CO) Kingston
 Cole Kirk
 Conaway Kline (MN)
 Cooper Kosmas
 Crenshaw Lamborn
 Culberson Lance
 Davis (KY) Latham
 Deal (GA) LaTourette
 Dent Latta
 Diaz-Balart, L. Lee (NY)
 Diaz-Balart, M. Lewis (CA)
 Dreier Linder
 Duncan Lipinski
 Edwards (TX) LoBiondo
 Ehlers Lucas
 Emerson Luetkemeyer
 Fallin Lummis
 Flake Lungren, Daniel
 Fleming E.
 Forbes Mack
 Fortenberry Manzullo
 Foxx Marchant
 Franks (AZ) McCarthy (CA)
 Frelinghuysen McClintock
 Gallegly McCotter
 Garrett (NJ) McHenry
 Gerlach McKeon
 Gingrey (GA) McMahon
 Gohmert McMorris
 Goodlatte Rodgers
 Granger Mica
 Graves Miller (FL)
 Guthrie Miller (MI)
 Hall (TX) Miller, Gary
 Harper Moran (KS)
 Hastings (WA) Murphy, Tim
 Heller Myrick
 Hensarling Neugebauer
 Herger Nunes
 Herseht Sandlin Olson
 Hoekstra Paul
 Hunter Paulsen
 Inglis Pence
 Issa Peterson
 Jenkins Petri
 Johnson (IL) Pitts
 Johnson, Sam Platts
 Jones Poe (TX)

NOT VOTING—8

Brady (TX) Kennedy Miller, George
 Brown (SC) McCaul Towns
 Carter Melancon

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1629

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KENNEDY. Mr. Speaker, I regret that my vote on H.R. 3961, the Medicare Physician Payment Reform Act of 2009 was not recorded in the House of Representatives today.

Had my vote been recorded on rollcall No. 909, final passage of H.R. 3961, the Medicare Physician Payment Reform Act of 2009, I would have voted “aye” on the question.

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 909, I was unavoidably detained. Had I been present, I would have voted “no.”

NATIVE AMERICAN BUSINESS DEVELOPMENT ENHANCEMENT ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1834, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELAZQUEZ) that the House suspend the rules and pass the bill, H.R. 1834, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 343, nays 55, not voting 36, as follows:

[Roll No. 910]

YEAS—343

Abercrombie	DeFazio	Kissell
Ackerman	DeGette	Klein (FL)
Aderholt	DeLauro	Kline (MN)
Adler (NJ)	Dent	Kosmas
Alexander	Diaz-Balart, L.	Kratovil
Altmire	Diaz-Balart, M.	Kucinich
Andrews	Dicks	Lance
Arcuri	Dingell	Langevin
Austria	Doggett	Larsen (WA)
Baca	Donnelly (IN)	Larson (CT)
Bachus	Dreier	Latham
Baird	Driebehaus	LaTourette
Baldwin	Edwards (MD)	Lee (CA)
Barrett (SC)	Edwards (TX)	Lee (NY)
Barrow	Ehlers	Levin
Bean	Ellsworth	Lewis (CA)
Becerra	Emerson	Lewis (GA)
Berkley	Engel	Lipinski
Berman	Eshoo	LoBiondo
Biggart	Etheridge	Loeb
Bilbray	Farr	Loftgren, Zoe
Bilirakis	Fattah	Lowe
Bishop (GA)	Filner	Lucas
Bishop (NY)	Fleming	Luetkemeyer
Bishop (UT)	Forbes	Lujan
Blumenauer	Fortenberry	Lungren, Daniel
Blunt	Foster	E.
Bocchieri	Frank (MA)	Lynch
Bonner	Frelinghuysen	Mack
Bono Mack	Fudge	Maffei
Boozman	Garamendi	Maloney
Boren	Gerlach	Markley (CO)
Boucher	Giffords	Markley (MA)
Boustany	Gohmert	Marshall
Brady (PA)	Gonzalez	Massa
Brady (TX)	Gordon (TN)	Matheson
Braley (IA)	Graves	Matsui
Bright	Grayson	McCarthy (CA)
Brown, Corrine	Green, Al	McCarthy (NY)
Buchanan	Green, Gene	McCollum
Burgess	Griffith	McCotter
Butterfield	Grijalva	McDermott
Buyer	Guthrie	McGovern
Calvert	Hall (NY)	McHenry
Camp	Hall (TX)	McIntyre
Cantor	Halvorson	McKeon
Cao	Hare	McMahon
Capito	Harman	McMorris
Capps	Hastings (FL)	Rodgers
Capuano	Heinrich	McNerney
Cardoza	Heller	Meek (FL)
Carnahan	Herseth Sandlin	Michaud
Carney	Higgins	Miller (MI)
Cassidy	Hill	Miller (NC)
Castle	Himes	Minnick
Castor (FL)	Hinojosa	Mitchell
Chaffetz	Hirono	Mollohan
Chandler	Hodes	Moore (KS)
Childers	Hoekstra	Moore (WI)
Chu	Holden	Moran (VA)
Clarke	Holt	Murphy (CT)
Clay	Honda	Murphy (NY)
Cleaver	Hoyer	Murphy, Patrick
Clyburn	Hunter	Murphy, Tim
Coffman (CO)	Inslee	Murtha
Cohen	Israel	Myrick
Cole	Issa	Napolitano
Connolly (VA)	Jackson (IL)	Neal (MA)
Conyers	Jenkins	Nye
Cooper	Johnson (GA)	Oberstar
Costa	Johnson (IL)	Obey
Costello	Johnson, Sam	Olson
Courtney	Jones	Olver
Crenshaw	Kagen	Ortiz
Crowley	Kanjorski	Owens
Cuellar	Kaptur	Pallone
Cummings	Kennedy	Pastor (AZ)
Dahlkemper	Kildee	Paulsen
Davis (AL)	Kilpatrick (MI)	Perlmutter
Davis (CA)	Kilroy	Peters
Davis (IL)	Kind	Peterson
Davis (KY)	King (NY)	Petri
Davis (TN)	Kirk	Pingree (ME)
Deal (GA)	Kirkpatrick (AZ)	Platts

Polis (CO)	Schock	Thompson (CA)
Pomeroy	Schrader	Thompson (MS)
Price (NC)	Schwartz	Thompson (PA)
Quigley	Scott (GA)	Tiberi
Radanovich	Scott (VA)	Tierney
Rahall	Sensenbrenner	Titus
Rehberg	Serrano	Tonko
Reichert	Sessions	Towns
Reyes	Sestak	Tsongas
Richardson	Shea-Porter	Turner
Rodriguez	Sherman	Upton
Roe (TN)	Shuler	Van Hollen
Rogers (AL)	Shuster	Velázquez
Rogers (KY)	Simpson	Visclosky
Rogers (MI)	Sires	Walden
Rooney	Skelton	Walz
Roskam	Slaughter	Wasserman
Rothman (NJ)	Smith (NE)	Schultz
Roybal-Allard	Smith (NJ)	Waters
Ruppersberger	Smith (TX)	Watson
Rush	Smith (WA)	Watt
Ryan (OH)	Space	Waxman
Ryan (WI)	Speier	Weiner
Salazar	Spratt	Wexler
Sánchez, Linda	Stark	Wilson (OH)
T.	Stupak	Wilson (SC)
Sanchez, Loretta	Sullivan	Wittman
Sarbanes	Sutton	Woolsey
Schakowsky	Tanner	Wu
Schauer	Taylor	Yarmuth
Schiff	Teague	Young (AK)
Schmidt	Terry	

NAYS—55

Akin	Harper	Pence
Bachmann	Hensarling	Pitts
Bartlett	Herger	Poe (TX)
Barton (TX)	Inglis	Posey
Boehner	Jordan (OH)	Price (GA)
Broun (GA)	King (IA)	Putnam
Brown-Waite,	Kingston	Rohrabacher
Ginny	Lamborn	Royce
Burton (IN)	Latta	Scalise
Campbell	Linder	Shadegg
Coble	Lummis	Shimkus
Conaway	Manzullo	Souder
Culberson	Marchant	Stearns
Duncan	McClintock	Thornberry
Foxx	Mica	Tiahrt
Garrett (NJ)	Miller (FL)	Westmoreland
Gingrey (GA)	Moran (KS)	Whitfield
Goodlatte	Neugebauer	Wolf
Granger	Paul	

NOT VOTING—36

Berry	Gallegly	Nunes
Blackburn	Gutierrez	Pascarell
Boswell	Hastings (WA)	Payne
Boyd	Hinchey	Perriello
Brown (SC)	Jackson-Lee	Rangel
Carson (IN)	(TX)	Ros-Lehtinen
Carter	Johnson, E. B.	Ross
Delahunt	McCauley	Snyder
Doyle	Meeks (NY)	Wamp
Ellison	Melancon	Welch
Fallin	Miller, Gary	Young (FL)
Flake	Miller, George	
Franks (AZ)	Nadler (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SCHRADER) (during the vote). There are 2 minutes remaining in this vote.

□ 1637

Messrs. BOOZMAN and COFFMAN of Colorado changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably absent for medial reasons today, and missed recorded votes on the House floor.

Had I been present, I would have voted in the following manner: “Yes” on rollcall No. 902 on ordering the previous question; “yes”

on rollcall No. 903 on agreeing to the resolution; “yes” on rollcall No. 904 on Passage of the Reserve Officers Association Modernization Act of 2009; “yes” on rollcall No. 905 on Passage of H.R. 2781; “yes” on rollcall No. 906 on Passage of H. Con. Res. 212; “yes” on rollcall No. 907 on the Motion to Table the Appeal of the Ruling of the Chair; “no” on rollcall No. 908 on the Motion to Recommit H.R. 3961; “yes” on rollcall No. 909 on Passage of H.R. 3961 the Medicare Physician Payment Reform Act of 2009; and “yes” on rollcall No. 910 on Passage of H.R. 1834, the Native American Business Development Enhancement Act of 2009

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3904

Mr. LOEBSACK. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3904.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was absent on November 17 and November 18 because of official business in my district dealing with the honoring of a former President and as well the launch. Had I been present for S. 1314, I would have voted “aye”; for H.R. 3539 I would have voted “aye”; for H.R. 3767 I would have voted “aye”; for H.R. 3360 I would have voted “aye”; for H. Res. 841 I would have voted “aye”; and for H. Res. 891 I would have voted “aye.”

SUPPORTING THE OBSERVANCE OF NATIONAL DIABETES MONTH

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of House Resolution 914 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 914

Whereas there are nearly 24,000,000 people in the United States with diabetes and 57,000,000 with pre-diabetes;

Whereas diabetes contributed to the deaths of over 300,000 people in the United States in 2007, making diabetes the seventh leading cause of death;

Whereas every minute, 3 people are diagnosed with diabetes;

Whereas each day approximately 4,384 people are diagnosed with diabetes and approximately 1,600,000 new cases of diabetes were diagnosed in people 20 years or older in 2007;

Whereas between 1990 and 2001, diabetes prevalence in the United States increased by more than 60 percent;

Whereas over 24 percent of diabetes is undiagnosed, down from 30 percent in 2005 and 50 percent 10 years ago;

Whereas over 10 percent of adults and nearly a quarter (23.1 percent) of people in the United States age 60 and older have diabetes;

Whereas diabetes is a serious chronic condition that affects people of every age, race, income level, and ethnicity;

Whereas Hispanic, African, Asian, Pacific Islanders, and Native Americans are disproportionately affected by diabetes and suffer at rates much higher than the general population;

Whereas 15,000 youth in the United States are diagnosed with type 1 diabetes annually and about 3,700 youth are diagnosed with type 2 diabetes annually;

Whereas 1 in 3 people in the United States born in the year 2000 will develop diabetes in their lifetime, this statistic grows to nearly 1 in 2 for minority populations;

Whereas diabetes costs the United States an estimated \$174,000,000,000 in 2007 and \$1 in every \$10 spent on health care is attributed to diabetes and its complications;

Whereas approximately \$1 out of every \$4 Medicare dollars is spent on the care of people with diabetes;

Whereas every day 230 people with diabetes undergo an amputation, 120 people enter end-stage kidney disease programs, and 55 people go blind from diabetes;

Whereas there is not yet a cure for diabetes;

Whereas there are proven means to reduce the incidence of and delay the onset of type 2 diabetes;

Whereas people with diabetes live healthy, productive lives with the proper management and treatment; and

Whereas National Diabetes Month is celebrated in November: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Diabetes Month, including encouraging people in the United States to fight diabetes through raising public awareness about stopping diabetes and increasing education about the disease;

(2) recognizes the importance of early detection, awareness of the symptoms of diabetes, and the risk factors for type II diabetes, which include being over the age of 45, coming from certain ethnic backgrounds, being overweight, having a low physical activity level, high blood pressure, and a family history of diabetes or a history of diabetes during pregnancy; and

(3) supports decreasing the prevalence of diabetes, developing better treatments, and working toward an eventual cure for type I and type II diabetes through increased research, treatment and prevention.

Ms. SHEA-PORTER. Mr. Speaker, I rise today in strong support of H. Res. 914, recognizing November as National Diabetes Awareness Month. I would also like to thank Congresswoman DEGETTE for sponsoring this resolution.

Because someone in my family has diabetes, I know how awful it is. Diabetes affects nearly 24 million adults and children nationwide. Even more frightening is the fact that an additional 57 million more are at risk for Type II diabetes. According to the New Hampshire Department of Health and Human Services, diabetes is currently the 7th leading cause of death in New Hampshire. Approximately 7.2 percent of the population between 18–64 years of age have been diagnosed with diabetes.

We need to increase awareness about this epidemic. Not only is it a health issue, but it is a financial issue. Diabetes treatment costs total \$174 billion a year in this country. If we

place emphasis on prevention, we can drastically reduce these costs.

We must be more aggressive in preventing, diagnosing, and treating this disease. We also must continue striving for a cure.

Raising awareness and increasing funding to tackle the root of the problem is essential. As a proud cosponsor of this resolution, I urge my colleagues to join me in supporting the fight against diabetes.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on House Resolution 914.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

TERMS OF SERVICE IN THE OFFICE OF COMPLIANCE

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent to discharge the Committee on House Administration from further consideration of the bill (S. 1860) to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

S. 1860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL TERM FOR MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.

Notwithstanding the second sentence of section 301(e)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)(1)), any individual serving as a member of the Board of Directors of the Office of Compliance as of September 30, 2009, may serve for 3 terms.

Mrs. DAVIS of California. Mr. Speaker, the statute we are amending limits the terms of the current Board of Directors of the Office of Compliance to two consecutive five year terms. The Board consists of five legal practitioners from around the country, each of whom is an expert in labor and employment matters. They were originally appointed in 1999 and 2000, and reappointed to second terms in 2004 and 2005. The terms of three Board members expired last month, and the terms of the remaining two Board members will expire this coming May. The Congressional Accountability Act does not allow for holdovers, so the current Board has already lost its quorum.

The Government Accountability Office (GAO) found in 2004 that term limits for Board members caused a loss of leadership, and negatively impacted the Office's continuity of

operations. To avoid that negative impact, the Committee proposes to amend the law to allow the current Board to serve for an additional term.

This particular Board has demonstrated extraordinary productivity and balance in its handling of multiple cases, and its issuance of a number of substantive regulations. The current Board operates collegially, and appreciates the operating environment in which they perform their responsibilities. Over the last decade, the Board has met its statutory mandate without cause for concern from the Congress. The Board has been a neutral body, committed to advancing safety, health, and workplace rights, while working with the Congress to promulgate regulations that reflect the unique nature of the Legislative Branch.

The Congress amended the Congressional Accountability Act five years ago to allow for a second term. The GAO's 2004 report on the operations of the Board noted that, in comparable administrative regulatory agencies, such as the Equal Employment Opportunity Commission, the Federal Labor Relations Board, and the National Labor Relations Board, there were no limitations on board members serving consecutive terms.

The Board members have provided an excellent balance, and unnecessary change to the composition of this Board creates a risk of loss of such balance. The Committee therefore recommends that the term limits for the current Board members be extended by an additional five year term. By enacting S. 1860, we will accomplish this purpose.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. DAVIS of California. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks in the RECORD on S. 1860.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CONDITIONAL ADJOURNMENT TO MONDAY, NOVEMBER 23, 2009

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 3 p.m. on Monday, November 23, 2009, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 214, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CONGRATULATING SCHENECTADY COUNTY COMMUNITY COLLEGE ON ITS 40TH ANNIVERSARY

(Mr. TONKO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I would like to take this opportunity to congratulate Schenectady County Community College on its 40th anniversary of founding. Over the last 40 years, Schenectady County Community College has met the educational needs of tens of thousands and offered a pathway to career success and prosperity.

SCCC has recently expanded its educational offerings to meet the needs of the 21st-century workforce. The college offers a cutting-edge Nanoscale Materials Technology program that trains students for top careers in the high-tech industry. The Culinary Arts program at SCCC attracts students from around the country and is a model for other community colleges as well. In addition, the college offers one of the only aviation programs currently available at a community college.

As testament to the college's importance to the community, full-time enrollment at the campus has increased by 15 percent over the past year.

On behalf of the residents of the 21st Congressional District, I would like to take this opportunity to thank President Quintin Bullock and Schenectady County Community College for 40 years of educating students and preparing tens of thousands for successful futures. We look forward to your continued achievement, and express our heartfelt congratulations.

MIAMI-DADE COUNTY PUBLIC SCHOOLS SUPERINTENDENT'S BENEFIT CONCERT SERIES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I applaud Miami-Dade County Public Schools for its Superintendent's Benefit Concert Series. This groundbreaking event will bring together singers, dancers and performers from throughout our public school system. Entitled "Listen to the Music," their first event will be tomorrow, Friday, November 20, at Miami Beach Senior High School, located in my congressional district. This uplifting event supports the "cultural passport program," which provides kindergarten through 12th-grade students with a different cultural experience each school year.

This unique program will ensure that our students get to visit local museums and art galleries, as well as experience live musical theatrical and dance performances before they graduate.

As a former educator and Florida certified teacher, I am proud to see our teachers, our students, and our community working together to make this great series a success. I encourage all in south Florida to attend this historic event tomorrow and enjoy a great performance for a great cause. I congratulate Superintendent Alberto Carvalho

for doing such professional work in a challenging economic environment.

NATIONAL EPILEPSY AWARENESS MONTH

(Mr. SKELTON asked and was given permission to address the House for 1 minute.)

Mr. SKELTON. Mr. Speaker, November is National Epilepsy Awareness Month, and I rise today to help bring awareness to the month and to this year's theme, which is "Talk About It." Epilepsy is a neurological condition that affects more than 3 million Americans and more than 50 million people worldwide. It affects people of all ages, nations, and races. A burst of electrical energy in the brain can cause an individual with epilepsy to experience a seizure. Seizures can be mild, but sadly, in some cases, they are fatal.

In 2008, Congress passed legislation to establish epilepsy centers of excellence within the Veterans Administration. A traumatic brain injury can put a servicemember at greater risk for developing epilepsy in later years. And these centers of excellence will help ensure our veterans receive top-of-the-line care.

Fortunately, research into epilepsy has resulted in the development of medications and other treatments that have proven successful in controlling epileptic seizures. However, these treatments are not effective for everyone with epilepsy, which means more work remains.

Mr. Speaker, I urge my colleagues to join me in recognizing National Epilepsy Awareness Month and to pay tribute to all those working to promote a greater understanding.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1963. An act to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

The message also announced that pursuant to Public Law 105-83, the Chair, on behalf of the Majority Leader, announces the appointment of the following individual to serve as a member of the National Council of the Arts:

The Senator from Missouri (Mrs. MCCASKILL).

□ 1645

RELIGIOUS FREEDOM IN IRAQ

(Mr. DUNCAN asked and was given permission to address the House for 1 minute.)

Mr. DUNCAN. Mr. Speaker, the fall of Saddam Hussein in Iraq has unleashed tremendous religious violence against the Christian community there.

According to the London Times, "In the chaos after the U.S.-led war invasion of Iraq in 2003, Christians found themselves targeted by Islamic terrorists."

Archbishop Paul Faraj Rahho said Christians in Iraq faced three bad choices: either they fled, converted to Islam, or risked being killed. Then in 2008, Archbishop Rahho himself was kidnapped and murdered.

These horrendous human rights violations and crimes against Christians in Iraq were brought to my attention by one of my constituents, Susan Dakak, a civil engineer who is a native of Iraq. Iraq's Christian Ambassador, the Iraqi Ambassador to the Vatican, my constituents tell me, is doing almost nothing to call attention to the plight of these people.

The U.S. should do more to aid the Christian minority in Iraq. At least one-third, maybe closer to one-half of these Christians, have fled the country. They should be allowed to return. The killings, kidnappings, and religious persecutions must stop.

The U.S. Government should substantially reduce our aid if Christians are not allowed to freely express their religion in Iraq.

IN RECOGNITION OF MYRA FARR

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to pay tribute to Myra Farr for a lifetime of service and volunteerism.

In 1938, when Myra Farr married, the National Council of Jewish Women Miami Chapter gave her a gift of membership. She then served NCJW as its president and honorary national vice president. Throughout the 70 years since, Myra has given of her time and energy to improve our community.

She became one of the original volunteers of the Greater Miami Jewish Federation, where she continues to serve on the board of directors as a lifetime appointee. Myra has also served on the National Conference of Christian and Jews and in various capacities with Jewish Family Services, American Jewish Committee, and the University of Miami Women's Guild. She was a delegate to the White House Conference on Families and has been awarded the Call to Service Award from the U.S. President's Council on Volunteerism.

Myra Farr has dedicated her life to advocating for the well-being of others. At age 94, Myra continues to mentor generations of women—including me—and has improved the lives of countless individuals. She sets a remarkable example for all Americans.

IN MEMORY OF STAFF SERGEANT JUSTIN M. DECROW

(Mr. BROUN of Georgia asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BROUN of Georgia. Mr. Speaker, I rise today to pay respect to the memory of Staff Sergeant Justin M. DeCrow, one of the 13 victims that died in the tragic and senseless attack at Ford Hood, Texas, on November 5, 2009.

Staff Sergeant DeCrow is survived by his wife Marikay and their 13-year-old daughter Kyla who currently live in Evans, Georgia. Justin was described as a loving father and husband with an "infectious charm and wit that always put others at ease." This is what many of us aspire to be, but it seems Justin was an exemplary person to display such character.

We owe Staff Sergeant DeCrow's family an answer as to why this has happened and to ensure that it never happens again. I pledge to all the victims and their families that I will do everything that I can to find the answers as to why this act of terror took place.

MEDICARE PHYSICIAN PAYMENT REFORM ACT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to reaffirm my support for physicians, for the work that they do, and, of course, the fix that we just passed, the Medicare Physician Payment Reform Act, that finally responds to the medical care that doctors give all over America.

This bill will repeal a 21-percent fee reduction that currently was scheduled right around the corner for January 2010. It also reinforces the rights of seniors to keep their doctors and, as well, to lower costs. It has a pay-for as well. It is a procedure that has already been handled.

Proper management of Medicare funding ensures that the Medicare system will be able to properly support the medical needs of its intended beneficiaries. This bill will help promote the use of primary care and give access to the use of primary care practitioners in Medicare and throughout the health care system.

I have been working to support and protect physician-owned hospitals which give quality care, physicians who are able to go in and protect the quality of medical care in rural and urban areas. This bill also supports our physicians, and I am proud of it.

RELEASE FATHER NGUYEN VAN LY

(Mr. CAO asked and was given permission to address the House for 1 minute.)

Mr. CAO. Mr. Speaker, I rise today to call upon the administration and Congress to ask the Vietnamese Government to unconditionally release Father Nguyen Van Ly to his family.

Father Ly is one of many Vietnamese citizens who have been harassed for re-

ligious and democracy advocacy. He has been placed on trial without defense and imprisoned more than once for a total of almost 17 years.

As a Roman Catholic priest and prominent Vietnamese dissident, Father Ly has become a powerful icon in the ongoing fight for human rights. For his continuous imprisonment and nonviolent protests, Amnesty International adopted him as the Prisoner of Conscience in 1983. His support for the Bloc 8406 Manifesto, which called for a democratic Vietnam, has led to his most recent sentence on March 30, 2007, for an additional 8 years in prison. Sadly, Father Ly suffered his second stroke just 5 days ago, leaving the right side of his body paralyzed.

In a letter to His Excellency Nguyen Tan Dung, the Prime Minister of the Socialist Republic of Vietnam, Members of Congress asked the government of Vietnam to unconditionally release Father Ly on humanitarian grounds; provide access for his immediate and long-term medical care; and grant his family unencumbered admittance to lend moral, physical, and spiritual support during this difficult time.

We believe Father Nguyen Van Ly to be a prisoner of conscience held solely for the peaceful expression of his dissenting political and religious beliefs. Asking for his release is an opportunity for Congress to take a bold stand for human rights.

DON'T BRING TERRORISTS TO THE UNITED STATES

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, we've had people saying yes, we want to bring terrorists to New York. We want to bring them to Illinois. We had Senator DURBIN say, This is a lifeline. This is an opportunity for these people to finally have a chance to save their communities, and this project will give them that chance. Talking about bringing jobs to Illinois, Governor Pat Quinn said the prison that will be proposed in Thompson, Illinois, would provide economic opportunity.

We're talking about terrorists. And the moment these terrorists put their feet in New York after we've spent millions and millions of dollars, they will then file a motion to transfer venue. My friends across the aisle who have said, we want to look them in the eye and sentence them to death will have their statements as exhibits in the motion to transfer venue as to why they could not get a fair trial in New York.

This is a huge mistake. A terrorist whose own pleading earlier this year says that "your end is very near and your fall will be just as the fall of the towers on the blessed 9/11 day" does not need to be brought to the most densely populated area in the country.

Don't do it, Mr. President.

HONORING MARY ANNE SHARP

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to recognize and honor one of my constituents, Mary Anne Sharp. She is celebrating her 45th year as director of the Decatur Civic Chorus in Decatur, Georgia.

Under Ms. Sharp's leadership, the chorus has grown from a small group to a well-known and widely respected ensemble of 60 voices which has performed at hundreds of civic functions and organizations, including hospitals, nursing, and retirement homes.

Under Mary Anne Sharp's direction, the chorus has represented Georgia and the United States on tours and at festivals throughout the world. She is one of the points of light in my district, and I just recognize her from the well of the House for the great job she has done. Culture brings us all together; and I just applaud her efforts in this regard.

Mr. Speaker, as we continue to grapple with the great issues of war and peace, health care policy and other matters of state, let us not forget to recognize the heroes in our communities who give their time and spirit to share the arts with their neighbors.

Let us thank Mary Anne Sharp for her work, her heart, and her contributions to the community I am privileged to represent.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WHERE ARE THE JOBS?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. SCALISE) is recognized for 5 minutes.

Mr. SCALISE. Mr. Speaker, I rise today to address the House to ask the question that many Americans are asking, and that is, Where are the jobs?

Over the last few months, the American people have been saying very vocally that they want this Congress to address the big problems that are affecting them today—and there are a number of problems. But the top problem I hear from my constituents—and I am hearing from so many of my other colleagues that their constituents are saying the same thing—is that they want this Congress to be focused on creating jobs. Unfortunately, we're seeing just the opposite happen in terms of the policies that are being brought forth by the liberal leadership of this Democratically controlled Congress.

It started back with the first bill that came out, the so-called stimulus

bill. This was a bill that added \$787 billion of debt that our children and grandchildren have to pay—money we didn't have—but the White House said, Don't worry. We've got to roll this thing through quickly, ram it through. Don't let anybody have the opportunity to read it, and it's got to go quickly because we need to stop unemployment from breaking 8 percent, and this bill's going to do it.

And then they said, When this bill passes, there's going to be so much transparency, you'll be able to track every dime, there won't be any waste, fraud, and abuse; and you can even go to a Web site and track where that money is going.

So, of course, after that bill passed, a bill that many of us opposed because we knew it wouldn't create jobs—in fact, it would actually make our economy worse because it was all borrowed money, money that our children and grandchildren have to pay. But what was worse is now that we're starting to try to find out where that money is, where is that money? We know when we're asking where are the jobs, we can't find the jobs because millions more Americans have lost their job since that bill passed. So it actually had the opposite effect that the American people were promised when the President stood right here on this podium.

But now as people across the country are trying to track down and say, Where is that transparency? Where are those billions and billions of dollars that have been spent going to?, we just find out the other day when you go to the White House's own Web site, Recovery.gov, you can't actually track those jobs. You can't track where that money's gone because there's an incredible amount of fraudulent information on that Web site.

Now, those of us in Louisiana were waking up on Tuesday going to that Web site, and maybe some people would think it would be good news that we found out that we had 15 congressional districts, according to the White House's own Web site. They actually tracked districts that don't exist.

□ 1700

Of course, in Louisiana, we only have seven congressional districts. So a reporter from our local newspaper called the White House. And first of all, they said, How can you possibly have all this accurate data on your Web site? You're telling the American people that jobs were created in congressional districts that don't even exist. And the first response from the White House was, "We are not certifying the accuracy of the information." Now, these are the people who said this would be the most transparent administration in history. Now they are not certifying the accuracy of the information now that they have got their hands on the money.

So then they followed it up, and they said, Well, how can you actually have

mistakes made that are this big where you have a State that only has seven congressional districts, and when we go to your Web site, there is a District 45, and it actually says how many jobs were created in that district that doesn't exist? How can you actually have a system that is set up that allows that kind of inaccurate information to be reported? And the White House's spokesperson actually said, "Who knows, man? Who really knows?"

Mr. Speaker, this is unbelievable and an insult to the American people who are still asking, Where are the jobs? Now, maybe it's fitting that the White House is showing jobs created in districts that don't exist because their stimulus bill was passed using money that doesn't exist. It is all money that is borrowed from our children and grandchildren, not a dime that was paid for.

And, of course, the latest that the President was talking about just 2 days ago, he said, if we keep on adding to this debt, even in the midst of this recovery, at some point, people could lose confidence in the United States' economy in a way that could actually lead to a double-dip recession.

So here you have the President of the United States admitting that all of this debt spending, this deficit spending that they are on this road to continue going down, is a bad thing and actually could lead to a double-dip recession, and yet their answer from day one has been a stimulus bill that adds another \$787 billion of debt. Then he came back right behind there with another bill, his budget, his budget that doubles the national debt. And then they went on with the bill called "cap-and-trade," a national energy tax, a bill that adds hundreds of billions of dollars.

You wonder why people are still asking, Where are the jobs? We need to get back to fiscal sanity. We need to actually have real transparency.

KARZAI INAUGURATION NO CURE FOR WHAT AILS AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, today Hamid Karzai was inaugurated to serve another 5-year term as President of Afghanistan. International leaders, including President Obama and Secretary of State Clinton, are calling upon Karzai to reform his government, clean up corruption, and make us all proud of being his allies.

Well, Mr. Speaker, there is an old saying that fits this occasion, "Fool me once, shame on you; fool me twice, shame on me." The Karzai government is ineffective, incompetent, and corrupt. He stole the elections. He has placed drug lords and warlords in key positions of power and influence. He has tolerated and promoted cronyism,

graft, and a flourishing drug trade in his government and throughout his country, all of which have destroyed the confidence of the Afghan people in their own government and contributed to the resurgence of the Taliban.

What in the world makes anyone believe that he will be a catalyst for change? If someone won an election by committing rampant fraud, wouldn't he be more likely to commit fraud again and again? Why would he change a winning strategy? If someone personally picked and appointed warlords to take up key positions in his government, what makes you think he will now kick them out? Because the U.S. and Gordon Brown of Great Britain have asked him to?

If corruption and cronyism keep his friends healthy, wealthy, and happy, what makes you think he will turn off the spigot? Because he creates a special commission to look into the problem? Because his corrupt police are now going to have a special anticorruption unit and a unit to fight major crime?

What have they been doing up until now? Is he going to morph into being a new man, a different kind of leader, because he put a few words into his inaugural address about the need to create a clean government, the kind of government that people can trust?

Corruption is like a sickness, easier to spread than to cure.

Mr. Speaker, we do not have a partner we can trust in Afghanistan, yet we are asking tens of thousands of our servicemen and -women to go to Afghanistan and fight and die for Mr. Karzai's government. That's too high a price to pay, Mr. Speaker.

Soon the President will announce and outline the new U.S. strategy in Afghanistan, including a likely increase in the number of troops to be deployed there. I believe in the President's desire to do what's good for Afghanistan and the United States. I believe he wants to get it right and to be able to hand off to his successor at some point in the future a stable country, an Afghanistan that has turned the corner on violence and division and is beginning to flourish and develop once again.

I want that, too. But I do not think that sending more troops to a corrupt government is going to achieve that, no matter how many commissions and special police units are created or how many pretty words are put into an inaugural address. We should not send a single additional soldier to Afghanistan. It's that simple. We cannot afford to be fooled again.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATING PROFESSOR ELLEN MORELAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

Mr. CONAWAY. Mr. Speaker, today I rise to congratulate Ms. Ellen Moreland, a senior instructor in mathematics at Angelo State University on her recognition as the 2009 Texas Professor of the Year. While some folks may be surprised that a professor from ASU is being honored, it is no surprise to her students who see her devotion to her craft every single day.

The Professor of the Year Awards are awarded annually to those professors who have "extraordinary dedication to undergraduate teaching, which is demonstrated by excellence in the following areas: an impact on and involvement with undergraduate students; a scholarly approach to teaching and learning; a contribution to undergraduate education in the institution, community and the profession; and support from colleagues and current and former undergraduate students.

They could not have found a more fitting honoree than Ellen Moreland. Professor Moreland has carved out an invaluable role as an educator of educators. Among her classes, she teaches the capstone course at ASU, which is a broad survey of everything that graduating math majors have learned in their 4 years. It is designed for future mathematics teachers to take before they take the State certification exam. The test is difficult, but Professor Moreland's students all seem to do well on it. In fact, over the last decade, every single student who has taken her capstone course has passed the certification exam on the first try. This 100 percent success rate is unmatched anywhere in Texas. And it is not a stretch to say that her impact will be felt by generations of students all over Texas.

Unfortunately, Professor Moreland could not be in Washington this week to receive her award. It is getting to be about time for finals, and she thought it was too important of a time for her to be away from her students. Instead, the 2009 Texas Professor of the Year is exactly where we would expect her to be, instructing her students and preparing another generation of American educators.

Mr. Speaker, it is my deep honor to represent all of the people of District 11 of Texas, but it is always a great pleasure to be able to single out some of them for their extraordinary accomplishments. On behalf of the people of my congressional district, especially the math students, I want to thank Professor Moreland for her dedication to teaching and her generosity with her time. They could not have selected a better educator to be the 2009 Texas Professor of the Year, Ms. Ellen Moreland.

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Indiana (Mr. ELLSWORTH) is recognized for 5 minutes.

(Mr. ELLSWORTH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE GLOBAL WATER AND HUNGER CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. COSTA) is recognized for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise this evening to talk about the challenges we face both in this country, my district, and around the world on critical issues affecting our country and the world, and that is food, water, and hunger. Because without water, you can't grow food, and without the sufficient sustainability of our ability to produce food in this country and around the world, hunger continues to be a pressing issue both at home and abroad.

Next week, Thanksgiving will be celebrated in this country, and we will all hopefully be with our families and friends. But in some parts of America, people will go hungry. In some parts of my district that has been ground zero on a drought that has been caused by a combination of regulatory and dry conditions for 3 consecutive years in California, we will have people in food lines. Sadly, these food lines have existed for months, and sadly, these food lines will continue throughout the winter because we have a problem in California. But that problem is exemplified throughout the world, and that is without sufficient water supplies, sustainable water supply, you cannot grow food, and without that ability, hunger persists.

On October 15, Bill Gates spoke at the 2009 Food Prize Symposium about the importance of productivity and sustainability of agriculture to feed our Nation and the world. He said, "This global effort to help small farmers is endangered by an ideological wedge that threatens to split the movement in two. On one side is a technological approach that increases productivity. On the other side is an environmental approach that promotes sustainability. Productivity or sustainability—they say you have to choose."

Bill Gates said, "It's a false choice, and it's dangerous for the field. It blocks important advances. It breeds hostility among people who need to work together. And it makes it hard to launch a comprehensive program to help poor farmers. The fact is, we need both productivity and sustainability—and there is no reason we can't have both."

The San Joaquin Valley in my district in central California is a good example that we must have both, yet we find ourselves in a regulatory drought because we are faced with posing the question: Should we have sustainability or productivity? Farmers who produce some of the most varied amount of production anywhere in the

world have proven that you can have both productivity and sustainability, provided, provided you have water. That's why Bill Gates went on to say, "That's why our foundation works closely with local farmers' groups. And that's why we are one of the largest funders of sustainable approaches such as no-till farming, rainwater harvesting, drip irrigation, and biological nitrogen fixation.

"The environment also benefits from higher productivity. When productivity is too low, people start farming on grazing land, cutting down forests, using any new acreage they can to grow food. When productivity is high, people can farm on less land."

In our valley, we have proven that time and time again. I ask my colleagues to ensure that we hold this administration accountable.

Last week, Secretary of the Interior Salazar made a positive statement. He said, on November 9, that the Department of the Interior will make a public announcement taking actions on California's water crisis next year to make sure that the intertie to Gates, the diversification of refuge water in level 2 and in level 4 supplies are made available to farmers and that the Patterson fish screen and pipeline will, in fact, take place next year. These are important.

The last administration left these on the backlog for years. This administration pretends they are going to take place next year. I will hold them accountable. These projects are very important. Again, without water, you can't have food and you can't have jobs.

I urge this administration to continue to move forward on these important efforts along with the National Academy of Science's attempt to look at the biological opinions that are providing the constraints to allow for the flexible operations of the Federal and State projects that provide the water to allow us to grow the food to have the jobs.

As I close, my colleagues, let me tell you, we are talking about trying to get the economy going. We are going to be talking about a jobs package this year when we come back from Thanksgiving. If we provide water to the people of the San Joaquin Valley, we will have 30,000 jobs that were eliminated this summer because we had no water. It's very simple. All we have to do is focus on flexibility with these biological opinions.

We hope that before the National Academy of Science completes their work, the administration will understand that regardless of what kind of a rainfall year we have this winter and snow in the Sierra, it's important that we are sensitive to operational flexibility of the State and Federal projects.

I urge all of my colleagues to understand that, as Bill Gates said, sustainability and productivity are key. You can have both. It should be a false

choice. Water provides food, and that equals jobs.

□ 1715

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE TRUE MEANING OF THANKSGIVING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, the Thanksgiving thoughts that I offer this evening were written by someone who sacrificed a great deal for someone that they loved. It has really nothing to do with roast turkey or pumpkin or all of the homey images that we have come to equate with this holiday. Tonight, I want to speak of a day whose noble purpose and origins are often lost on those who think of it as only "Turkey Day."

The truth is, this national holiday has much more to do with Presidents than it does pilgrims; more to do with our precious freedoms than sumptuous feasts. Yes, it's wonderful to have Thanksgiving dinner with precious loved ones, it's wonderful to have that time with those that we care about, but this was also meant to be a time of giving thanks to God for all of his blessings, including the gift of freedom, something that often gets lost in this season, forgetting it was bought by the blood of past generations of Americans, a sacrifice still borne by so many men and women in the armed services in the battlefield these very moments.

A national day of thanksgiving to God was actually called after America became a Nation by two of our greatest Presidents and Commanders in Chief, George Washington and Abraham Lincoln. The first one was in 1789, right after this new Nation was still healing from the wounds of the American Revolution. General Washington, who had led those who favored revolution against the will of those who did not, was now seeking to unite a people with a new Constitution as one Nation under God.

There wasn't another national celebration of the day for 74 years and, ironically, it was during the Civil War in 1863, in the midst of one of our greatest national tragedies, that President Abraham Lincoln called for all his "fellow citizens in every part of the United States to set apart and observe the last Thursday of November as a day of Thanksgiving and praise to our beneficent Father who dwelleth in the heavens" so "that God could and should be solemnly, reverently, and gratefully acknowledged, as with one

heart and one voice, by the whole American people."

He went on to say "We have forgotten God" and "It is the duty of nations as well as men to own their dependence upon the overruling power of God; to confess their sins and transgressions in humble sorrow and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations are blessed whose God is the Lord."

Those words spoken nearly 1½ centuries ago came from a President who had found his own faith just a few months before. As he walked among the graves of thousands of soldiers who had fallen at the Battle of Gettysburg, his heart had broken over their tragic sacrifice. Abraham Lincoln was a President who deeply valued the lives of all Americans—civilian, slaves, and all soldiers, including everyone who actually fought against him.

The just freedom of hundreds of thousands of slaves had cost hundreds of thousands of American lives. It was an unspeakable sacrifice that weighed so heavily on him, and he believed only God could give him strength to unite the Nation again. He wrote a letter to a friend and said that he had not been a truer believer when he left Illinois to assume the Presidency.

"I asked the people to pray for me," he wrote. I was not a Christian. When I buried my son, the severest trial of my life, I was not a Christian. But when I went to Gettysburg and saw the graves of thousands of soldiers, I then and there consecrated myself to Christ."

Abraham Lincoln understood the high cost of freedom, but counting the cost and trusting God to hold and ultimately heal the Nation, President Abraham Lincoln ended slavery in America forever. Mr. Lincoln and George Washington both understood the high cost of freedom and helped to forge a new Nation with unheard of liberties, Mr. Speaker, including the right to disagree. And both of them called the Nation to thank God.

So, Mr. Speaker, as we prepare to go home to our families and loved ones, let us remember what every man and woman in the Armed Forces can tell you personally: freedom is never free. And as we sit down to Thanksgiving dinner, let us be thankful to all of those who have died that we might live in freedom—from the American Revolution to this current war we fight against jihadist terrorism. And let us thank the God, from Whom all blessings come, for this marvelous gift we call liberty and justice for all.

IN MEMORY OF SERGEANT EDUVIGES WOLF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker and Members, I have come to the floor to speak

about two extraordinary individuals today. I rise first to honor the memory of Sergeant Eduviges Preciado Wolf of Hawthorne, California. Sergeant Eduviges was an Army sergeant assigned to the 704th Brigade Support Battalion, 4th Brigade Combat Team, 4th Infantry Division, out of Fort Carson, Colorado. Sergeant Wolf was a hero who gave her life in service to her country.

Sergeant Wolf, also known as "Duvi," dreamed of serving in the U.S. military as a child who emigrated to the United States from Mexico with her family. As soon as Duvi was able, she joined the United States military so that she could fulfill her lifelong dream to serve and protect her country. She met her husband Josh at Fort Bragg. Together, they had two daughters: 3-year-old Isabel and 1-year-old Valerie. Both Duvi and Josh were deployed to Afghanistan, where they served in separate units. Tragically, Duvi recently died in an insurgent attack while in Afghanistan. She was only 24 years old.

Earlier this month, on Veterans Day, I had the honor and privilege of participating in events with veterans and their families in my congressional district in Hawthorne and Inglewood, California. I was deeply moved by the families of our servicemembers. Not only do servicemembers make major sacrifices, but so do their families. They live with the harsh realities of war and its implications on them. Spouses must sacrifice long-term career planning, and children are often-times forced to transfer to different schools throughout the country. Tragically, as is the reality of combat theatre, some of our troops do not make it home.

Today, I salute and thank Sergeant Wolf, along with all of our Nation's past and present heroes who sacrifice a great deal in service to this country. I expressed my condolences to Duvi's sister Cecilia in Hawthorne on Veterans Day, and I know that her friends and family are still mourning. It is my hope that they will find comfort and peace in the loving memories and the distinguished legacy of service that Duvi leaves behind.

IN MEMORY OF TOMMY JACQUETTE

Ms. WATERS. I rise in memory of Tommy Jacquette, my dear friend of over 40 years, who passed away this week. I know that the community of Watts and the greater Los Angeles area are grieving with me, because we have all lost a truly unique, larger-than-life friend and activist who had his finger on the pulse of the community.

Born in South Central Los Angeles in 1943, Tommy Jacquette as a young man became part of the Black Power Movement of the 1960s and sharpened his leadership skills during his studies at Cal-Poly Pomona. He was acutely aware of the problems and issues facing the African American community, and he wanted to make a difference.

Tommy especially loved Watts, and he dedicated his life's work to enriching the community. He was the founder

of the Watts Summer Festival at Ted Watkins Memorial Park, formerly Will Rogers Park, which became an annual tradition in the community following the 1965 insurrection, which were riots that shook the Watts community and surrounding areas.

Tommy created the festival to honor and celebrate our roots, our talents, and our culture; and it subsequently helped to spark African American festivals across the country. Today, it's known as the "grandfather" of all African American cultural events.

Even in years when he struggled to get funding for the festival, when traditional donors such as the business community and others wouldn't contribute, he always came through and was able to put on a festival, using the resources he had and his amazing life skills, largely stemming from being a self-made man. Just this year I joked with him that if he had two dimes to rub together, there would be a Watts Summer Festival.

I have no doubt, however, that in making the festival possible each and every year for almost half a century, Tommy knocked a few heads together. This tall, handsome, and fatigue-wearing man made his presence known, often using his penchant for colorful language to drive home the point. His confrontations with City Hall, L.A. County, and other elected officials and community leaders are legendary. He spoke his mind and he was bold and uncompromising in his support of the African American community. So when he was mad, you knew it. However, when he was pleased and happy, you knew it too, because he had a smile that would light up a room and a hearty laugh that would resonate throughout an entire building.

The Watts Summer Festival is uniquely Tommy, bringing people together and focusing both on local and national talent, always with an Afrocentric theme.

Tommy was an inspiration to me and to so many other people. He was daring, fearless and bold, helping us to gain the courage to openly discuss and deal with race, discrimination and inequality in a way that few had been able to before.

I will truly miss his presence and the long conversations we would often have, which would usually start when he'd say "Hey Mac, what do you think about that?" He was an incredibly deep thinker. He was especially an inspiration to young people in the community, often speaking at high schools, colleges and universities to encourage them to succeed, to give back, and to hold their heads up high.

There will never be another Tommy Jacquette, and I know that the legacy he has left behind is enshrined not only in the Watts Summer Festival, but in the larger community. I look forward to working with his family and the Board of Directors to make sure that the festival continues, though there will be a big hole that can never be filled.

I thank him for all that he was and all that he was not, for all the lives he reached, and for his friendship. I will miss him dearly, but am comforted because I know Tommy

Jacquette's life was one of impact, purpose, and fulfillment.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO FORMER GOVERNOR BRUCE KING OF NEW MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. HEINRICH) is recognized for 5 minutes.

Mr. HEINRICH. Mr. Speaker, it's difficult to put into words the tremendous loss that New Mexicans are suffering due to the passage of an unforgettable New Mexico public servant. Last Friday, we lost former Governor Bruce King at the age of 85. He was our revered "Cowboy in the Roundhouse," who served three terms as Governor of New Mexico.

Across our State, we were all touched by this one-of-a-kind New Mexican who personified a rare brand of leadership, perseverance, and integrity. That brand of leadership epitomizes what I love about New Mexico, and I believe it was a result of his humble upbringing on a ranch near the small town of Stanley, New Mexico. There, his parents raised him to always provide water to travelers passing through their homestead, no matter their background, and certainly never asking whether they were a Republican or Democrat.

From the very beginning, Governor King's philosophy remained that New Mexicans needed to "work together and be one large family," to be successful, whether from rural New Mexico towns like Stanley or an urban center like Albuquerque. Wherever he went in our State, New Mexicans felt like Governor King spoke their language, and they felt like his agenda was to address their family's struggles.

It was clear that he loved New Mexico and New Mexicans. He loved spending time with them. He loved bridging people's differences to get things done. His leadership united New Mexicans, and I think as we near our 100th anniversary of statehood, I have no doubt that his impact will be a central chapter in our history.

Governor King passed away Friday on the ranch where he was raised in Stanley, New Mexico, almost 1 year after the passing of his wife of 61 years, Alice King. Alice was equally revered for her contributions to our great State. Together, their humanitarian legacy includes equalizing funding between wealthy and not-so-wealthy schools, as well as establishing the Children, Youth and Families Department to tackle struggles faced by youth across our State. We're heartbroken at the loss of Governor and

Mrs. King, but we're comforted that they are together again.

Mr. Speaker, I extend my heartfelt condolences to the entire King family, and I thank them for sharing such an incredible public servant with our State. It is an honor to be able to serve in the kind of State that loved two public servants like Alice and Bruce King and that was so deeply loved by both of them.

IN MEMORY OF FORMER GOVERNOR BRUCE KING OF NEW MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. LUJÁN) is recognized for 5 minutes.

Mr. LUJÁN. Mr. Speaker, today I join my friends MARTIN HEINRICH and HARRY TEAGUE to celebrate the life of Bruce King. For so long, Governor King has been a constant and warming presence in New Mexico, dedicating himself to our State and touching the lives of New Mexicans from border to border with his kind words, hardy laugh, and friendly drawl. It's tough to go far in New Mexico without talking to someone who has a story about Governor King, and I'm no different.

When I turned 1 year of age, Governor King sent my parents a silver cup from himself and Mrs. King, from Alice, that still holds a prominent place in my mom and dad's house. It's a practice he followed to let people know he cared and that they were in his thoughts, even as he presided over a growing and emerging State. I'm sure that there are silver cups and similar stories across New Mexico, memories sitting on mantels, stories retold around family dinner tables. His thoughtfulness and down-home way of reaching out to people across our State made him a legend.

Raised in the fields of New Mexico and instilled with a sense of value in public service, the worth of a hard day's work and a kindness toward all, Governor King went to work early in life for our country and State.

□ 1730

He served in the Army in World War II, and when he came home, he settled his family in a beautiful place called Stanley, New Mexico. He was always a rancher, a genuine cowboy, and the values he learned on the ranch guided his service in our State. Governor King used to say that when cowboys came to the ranch to water their stock, his parents didn't ask if they were Democrats or Republicans. And he took that lesson to heart.

While working across the aisle in his time as a county commissioner, State legislator, as speaker of the House and finally as our Governor, when he got a question about a tough piece of legislation or a tough issue, his approach to bipartisanship was often highlighted by his wit. "Well, some of my friends are for it," and he'd continue to say, "and

some of my friends are against it, and I will support my friends.”

This steady and collaborative approach to governance led to many accomplishments that were only overshadowed by the strength of Governor King’s character and the size of his heart. With the helpful guidance of his wife, Alice, he made the Children, Youth, and Families Department a new State agency to look out for New Mexico’s children, and he made sure the students statewide had access to kindergarten, and their schools had steady funding, no matter if they lived in a growing city or in a quiet little farm.

He valued the land, and he made sure it was protected through an environmental improvement agency. And his commonsense approach to finances led to the creation of the State’s Rainy Day Fund and the Mineral Trust.

Governor King’s accomplishments were many, but his legacy will be shaped by his deep affection for our State and his ability to connect with New Mexicans. He remembered names and family members all over the State, whether you were a mom or a dad or a brother or a sister. When he walked into a general store, a local restaurant or a farmhouse, he made sure to extend his hand to everyone and ask them with a drawl, “How are y’all doing?” When they returned the question, he answered, “Mighty fine, mighty fine” before starting a conversation.

Our State and our country are better for Governor King’s service, and his words and deeds will long echo in our State. For generations, people will remember Governor King’s legacy and benefit from his work, and I hope all New Mexicans will heed his most important lessons and take some time to talk to their neighbors and get to know them, help their communities, and give a little back to our State. If we do this, if we all work a little bit harder, with a little more compassion and a little more common sense, when someone asks you how you’re doing, we might be able to look them in the eye and say, “Mighty fine, mighty fine.”

We’re going to miss you, Bruce.

HONORING GOVERNOR BRUCE KING OF NEW MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. TEAGUE) is recognized for 5 minutes.

Mr. TEAGUE. Mr. Speaker, I thank my colleague BEN RAY LUJÁN from the great State of New Mexico. I also want to thank the gentleman from New Mexico’s First Congressional District, MARTIN HEINRICH, for helping to arrange this tribute to one of New Mexico’s greatest citizens. Bruce King is, without a doubt, a New Mexico legend. If you never got a chance to meet him, then all I can tell you is that you missed an opportunity to meet someone who really was a dedicated public servant and a good man.

Many of us that are public servants in New Mexico today have learned from

his example. One thing I learned from Bruce King was how important it is to stay in touch with the people that you represent. In fact, I first met Governor King in the steer barn at the Lea County Fair. And over the years, it seemed that you would run across the Governor shaking hands at nearly every fair in New Mexico. Bruce King was New Mexico. A lot of people describe him as “the cowboy Governor,” and that could mean a lot of different things to a lot of different people. But for Bruce King, it meant that his heart was as big as our skies. It meant that his handshake was as good as his word. It meant the only way he knew how to work was hard. It meant his family and the people he represented always came first, and that he was willing to look out for their needs. It meant that when he had to make tough choices, he stuck by them, even when that meant that he had to make sacrifices.

It also meant that he led by example. During one of his terms as Governor, Bruce King had to contend with an energy crisis like the rest of the country. He didn’t just tell New Mexicans that they had to save energy. He showed them by trading in his motorcade for a horse. For a while, Bruce would actually ride his horse from the Governor’s mansion in Santa Fe to the State capitol as a way of showing folks that he was willing to do his part.

When I ran for Congress, I kept telling voters that I was running to put New Mexico’s families first in everything that I did. Governor King did that when he created the Children, Youth and Families Department in New Mexico that looks after the well-being of our children and our loved ones. He put New Mexico families first because, in a lot of ways, the people of New Mexico were his family. He put the education of our kids first when he changed the way we fund our schools back home.

In too many States, wealthy neighborhoods have the best schools while poor rural areas or inner city schools have to scramble for funds every year because their families are poor. Governor King changed that. He made sure that every single child in New Mexico got a shot at an education when he made sure that all money for education was doled out equally for every school district. He knew that one child’s education was not more important than another’s, and countless New Mexicans have benefited from that change.

In a recent interview, Bruce told a story about how he started making a few people angry on the Santa Fe County Commission when he, as a first-term commissioner, kept pushing the county employees to get roads paved faster. He remembered that one person took him aside and said, “Bruce, you’re new here, and you don’t know how things are done.” He just smiled and told him, “I understand the way things are done. The people pay their taxes on time, and they expect us to do our work on time. That’s how it’s done.”

Governor King’s service to our Nation and our State should never be forgotten. As a county commissioner, speaker of the House and as Governor, he was one of those unique public officials who never had forgotten where he came from. He listened sincerely to the needs and concerns of his constituents, and then he got to work addressing those issues because he cared deeply about the State of New Mexico. He showed the rest of the country what it meant to be a New Mexican. He brought out the best in all of us.

That’s probably why so many of his political rivals became friends of his afterwards. For so many years, Bruce King was ours. Now the cowboy Governor’s ridden off into the sunset one last time, and he will be missed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. JOHNSON) is recognized for 5 minutes.

(Mr. JOHNSON of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO THE 302(a) ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEARS 2010 AND 2014

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 421(a)(4) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit a revision to the budget allocations and aggregates for certain House committees for fiscal year 2010 and the period of fiscal years 2010 through 2014. This adjustment responds to House consideration of the bill H.R. 3961, the Medicare Physician Payment Reform Act of 2009. Corresponding tables are attached.

For the purposes of the Congressional Budget Act of 1974, as amended, this revised allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

BUDGET AGGREGATES (On-budget amounts, in millions of dollars)			
	Fiscal year 2009	Fiscal year 2010	Fiscal years 2010–2014
Current Aggregates: ¹			
Budget Authority	3,668,601	2,882,149	n.a.
Outlays	3,357,164	3,002,606	n.a.
Revenues	1,532,579	1,653,728	10,500,149
Change for Medicare Physi- cian Payment Reform Act (H.R. 3961):			
Budget Authority	0	1,177	n.a.
Outlays	0	1,177	n.a.
Revenues	0	0	0

BUDGET AGGREGATES—Continued (On-budget amounts, in millions of dollars)			
	Fiscal year 2009	Fiscal year 2010	Fiscal years 2010–2014
Revised Aggregates:			
Budget Authority	3,668,601	2,883,326	n.a.
Outlays	3,357,164	3,003,783	n.a.
Revenues	1,532,579	1,653,728	10,500,149

n.a. = Not applicable because annual appropriations Acts for fiscal years 2011 through 2014 will not be considered until future sessions of Congress.
¹ Current aggregates do not include the disaster allowance assumed in the budget resolution, which if needed will be excluded from current level with an emergency designation (section 423(b)).

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(A) ALLOCATIONS FOR RESOLUTION CHANGES

(Fiscal years, in millions of dollars)

House Committee	2009		2010		2010–2014 total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current allocation:						
Ways and Means	0	0	6,840	6,840	37,000	37,000
Change for Medicare Physician Payment Reform Act (H.R. 3961):						
Ways and Means	0	0	1,177	1,177	37,546	37,546
Revised allocation:						
Ways and Means	0	0	8,017	8,017	74,546	74,546

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the minority leader.

Mr. GINGREY of Georgia. Mr. Speaker, I thank you for the recognition, and I thank on the minority side, my side, the Republican side for allowing me to take this hour this evening to talk about health care reform and talk about what happened on the floor of the House today in regard to what's known as the doc fix bill. I think it's very important, Mr. Speaker, that we take this time so that all of our colleagues will have a full understanding of what's been going on. Certainly we've all been here, but we each have not had equal access to the deliberations and the writing of bills and the writing of amendments and of course motions to recommit and this sort of thing. So this, hopefully, Mr. Speaker, will be an information hour for all of our colleagues as we move forward.

When the bill was first marked up—the bill, the Pelosi health care reform act of 2009, Mr. Speaker, when it was first marked up back in July of this year in the three committees of this House, the Energy and Commerce Committee, the Ways and Means Committee, and the Education and Labor Committee, there were certain issues that gave me great pause. I do happen to sit on one of those three committees, Energy and Commerce.

When we began to mark up that bill at the time, Mr. Speaker, as you recall, it was H.R. 3200. Now the bill that we voted on and passed last Saturday night is H.R. 3962. But in their original bill, and in the bill that has passed the House, I had great concern, as did many of my colleagues, especially on this side of the aisle, Mr. Speaker, with a section in there called Comparative Effectiveness Research Council. We had trouble with another section in there that created something known as the health services coordinator. But let me

get back to that Comparative Effectiveness Research Council, Mr. Speaker, for just a second because basically, as you read through that portion of the bill, it was obvious that these bureaucrats would decide based on hopefully accurate research, scientific research, what was the best treatment for each and every disease known unto man, but that hopefully it would be a recommendation that this research council could give to our practicing physicians.

We know, Mr. Speaker, that medicine is not an exact science like physics and chemistry. It's a science, yes, but not an exact science. There is a lot of art to the practice of medicine. Doctors have a sixth sense, if you will, many times where a diagnosis is made based on just an observation or a feeling or, indeed, a sixth sense and not necessarily a scientific test or a specific lab result. So that was why, Mr. Speaker, I felt very concerned with this Comparative Effectiveness Research Council, if this bill is enacted in its current form.

Of course it looks like the Senate is going to be taking up the bill sometime soon. And if this is in there, indeed, these people, these bureaucrats, these nonmedical government folks will have the opportunity to say, Doctor, you can or cannot do that procedure. You can or cannot prescribe that medication based on, hopefully, what is best based on research. But could they do it, Mr. Speaker, simply based on cost? And the answer, regrettably, is, yes, they could. Yes, they could. That's why I proffered, submitted an amendment when we were marking up the bill that said that no bureaucratic decision or recommendation from this Comparative Effectiveness Research Council could force a physician, especially based on cost, that could lead to denial and eventually to rationing.

Now that seemed like such a good amendment, Mr. Speaker, that I was very optimistic, indeed, that my colleagues on both sides of the aisle—there are about 56 of us on the Energy

and Commerce Committee. I think there are 35 Democrats and 21 Republicans. But I was optimistic. And yes, indeed, that amendment passed on a voice vote, and people on the committee I think realized that that was a concern, and they didn't want this to happen either. Now unfortunately, Mr. Speaker, when the Speaker—you are sitting in for her—but when the Speaker of the House of Representatives, NANCY PELOSI, got the three bills from the three committees and sort of combined and came up with H.R. 3962 that, indeed, we voted on last Saturday night, that amendment disappeared miraculously, as did 15 other Republican amendments that were passed in committee. And in the dark of night, poof, they're gone.

You know, this is a pretty serious retraction, subtraction from the bill, and my fear, my concerns, Mr. Speaker, just this week have really come home to roost. Now I don't know how many of my colleagues have had the opportunity to read about, see about on television the United States Preventive Services Task Force, an entity embedded within the Department of Health and Human Services. Oh, by the way, Medicare and Medicaid is also embedded within the Department of Health and Human Services. Well, this little-known-to-some but well-known-to-many United States Preventive Services Task Force has come out, Mr. Speaker, with a recommendation that says that women should no longer practice breast self-examination in trying to detect early, at the earliest opportunity, if they have a suspicious lump.

They went even further and said that women should not routinely have a mammogram done every 2 years starting at age 40; they should put that off until age 50.

Now when an entity like this makes a recommendation, Mr. Speaker, it eventually becomes not a suggestion, but it essentially becomes, for all intents and purposes, a mandate.

□ 1745

Now, Ms. Sebelius, the Secretary of Health and Human Services, immediately said, no, no, doctors can still do whatever they want to. We are not telling the doctor what to do.

But, Mr. Speaker, as most of my colleagues know, I am a physician, and I just happen to be an OB/GYN specialist and practiced for 26 years before I had the privilege to be elected to Congress back in 2002. I am also a very proud member of the American College—a fellow we call it—of the American College of Obstetrics and Gynecology, and I am a board certified fellow. The recommendation from our college, our subspecialty, has been to commence routine screening mammograms for women at age 40 and to do that every 2 years, and of course not only allow, but to encourage and even to teach them how to do breast self-examination, probably commencing that in their early thirties if not their late twenties. It is something that I am just shocked that any so-called credible organization other than my own subspecialty of OB/GYN or, indeed, the American Cancer Society would make that kind of recommendation, and they haven't. I think they are appalled at this recommendation.

And like I say, when the Secretary of Health and Human Services says not to worry, doctor, patient, you can continue to do whatever you want to, but the patients are already very confused and frightened. And even if the doctor recommends to, let's say, a woman in her early forties, Hey, it is time to get that mammogram done. I don't feel anything on the exam, and I am glad you are checking yourself on a regular basis. Everything looks good, but it is time to go ahead and get that screening mammogram because we would certainly hope, if you are unfortunate enough to develop breast cancer, that we can detect it with the mammography, which is an x-ray, before a lump has developed, certainly before the patient can feel it, and certainly before the doctor can detect.

You write out that prescription and that order and you send the patient to the hospital and she gets over there and she is told, Well, we can do it, but you are going to have to write us a check or you are going to have to pay cash for it because your insurance company doesn't pay for this anymore, and they don't pay for it anymore because the U.S. Preventive Services Task Force of the U.S. Department of Health and Human Services says it is not necessary. We will be glad to do it. You have to write us a check, cash on the barrelhead, and we will do it; otherwise, we will see you in 10 years, at age 50. And at that point, that patient might happen to have, since she has been discouraged from doing breast self-examination, cancer the size of a golf ball, and that being cancer that has already spread to the point where her chances of survival over a 5-year period of time is down around 10 percent instead of 95 percent.

Mr. Speaker, this is serious stuff. This is life and death that we are talking about. That is why so many of us are so concerned about this massive takeover of our health care system by the Federal Government, by bureaucrats. We have got 13 practicing physicians on our side of the aisle that probably, in the aggregate, have 400 years of clinical experience. All kinds of specialists. In fact, I have a family practitioner with me tonight.

Mr. Speaker, maybe you wish that we had been consulted, and there are four or five doctors on the Democratic majority side. I don't think that they were consulted. It is a waste of talent and the waste of an opportunity for bipartisanship. This is the result of it, though. This is what happens when things are done behind closed doors. Folks overlook, forget. I am not saying that it is deliberate, but the unintended consequences have life and death consequences.

And with that, I yield to my good friend, the gentleman from Athens, Georgia (Mr. BROUN).

Mr. BROUN of Georgia. Dr. GINGREY, thank you so much for yielding tonight, and I appreciate the opportunity to come here to try to help our colleagues and hopefully the American public to understand what we are dealing with with this PelosiCare bill. And what is apparent thus far, since it has just been out, I can't say for certain, but it is apparent within the Senate bill, the ReidCare bill, of where we are going as a Nation.

The American people need to understand something very clearly, and that is there is going to be rationing of care, as Dr. GINGREY was just talking about, and we are already seeing the beginning of this.

Mr. Speaker, over the August break, I went up to Canada and I talked to Canadian patients. I actually lived in Canada many, many years ago for a short period of time. I didn't talk to doctors, but I talked to Canadian patients, since we hear our Democratic colleagues holding that up as the kind of model we need to go to.

Mr. Speaker, the American people need to understand very clearly that the Canadians have marked rationing of care. I talked to women in their forties and fifties who never, ever have been told that they needed a pap smear and never have had one. What Dr. GINGREY was just saying, Mr. Speaker, about this recommendation that women not have mammograms until they are after 50 years of age, I have seen patients in my own medical practice in their thirties who have been diagnosed and treated for breast cancer. In fact, I had one lady 29 years of age in my own practice who found a lump in her breast. She came to me, she got a mammogram and went to surgery and was found to have breast cancer at 29 years of age.

Mr. Speaker, this is the beginning of the process of rationing of care that we already see the Federal Government

doing just in anticipation, in my belief, of what the PelosiCare, the ReidCare, the ObamaCare bill is going to do. You see, the Democratic Party's health care reform plans which have been introduced in the House and the Senate will allow you to have anything that you want as long as the boss would allow you to do it. Boss Hogg is going to determine whether a patient can have a mammogram, as we already see in the Federal Government saying we need to stop these mammograms for patients that desperately need them from a medical perspective.

Mr. GINGREY of Georgia. If I understand the gentleman correctly, Mr. Speaker, the gentleman is holding a poster. That poster is a representation of this health choices administrator in this new bill, this H.R. 3962 which has already passed this House, and it also could be representative of the U.S. Services Task Force. And I want to yield back to the gentleman from Athens, Georgia, and I want us all to focus in just for a minute on Boss Hogg, because I think it is a great characterization of what we are trying to point out here.

Mr. BROUN of Georgia. This comparative effectiveness panel that is going to be set up in Washington, D.C., they are going to look at how to spend dollars. They are going to use age and dollars on how to make health care decisions, which means that senior citizens are going to be denied care because they are going to determine that it is not effective to spend dollars on seniors' care as opposed to spending it for young people's care. So this mammogram recommendation is just the harbinger of where we are going.

One other thing, Mr. Speaker, that the American people need to understand is that not only Boss Hogg is going to tell them whether they can have surgery, whether they can have a mammogram, whether they can have a pap smear, whether they can have lab tests, MRIs, CAT scans, but Boss Hogg and another group is going to tell the American people what their health insurance looks like.

So we have heard the President over and over say that if you like your current health insurance policy, you can keep it. That is a bald-faced lie. It is not true, because the health care czar panel is going to dictate every single health care policy in this country. Not only in the public exchange, but also everybody's private insurance in this country is going to be dictated by Boss Hogg, the health care czar panel in Washington, D.C.

They are going to say whether that insurance will pay for insurance coverage for those mammograms, and they are going to use this recommendation that just came out this week to deny women under the age of 50 of being able to get those mammograms that their doctor thinks that they need and that they think that they need. There are medical indications for those mammograms, but Boss Hogg is going to say

"no" because it does not fit within the parameters of the insurance that the Boss Hogg health care czar panel is going to put into place.

Mr. GINGREY of Georgia. I thank Dr. BROWN for that point.

As we continue this colloquy, Mr. Speaker, Boss Hogg could also restrict other screening procedures. It is probably never going to be proven that screening, mass screening for many different diseases is going to be cost effective, but it is going to save lives. You ask yourself, if we are going to get to the point where Boss Hogg or the health choices administrator or the U.S. Preventive Services Task Force or the Comparative Effectiveness Research Council decides that something is not going to be cost effective, as Dr. BROWN points out occurs in Canada. And he has some experience. He lived there. We know it occurs in the U.K. They have a group, an oversight entity that goes by the nice acronym of NICE, N-I-C-E, the National Institute for Clinical Excellence, but it is a rationing body that decides what can and cannot be done.

Indeed, talking about breast cancer, Dr. BROWN, the survival rate, the 5-year survival rate for breast cancer in the U.K. is something like 15 points lower than it is in the United States, and it is simply because they are denied these routine screening procedures.

The point I also wanted to make in regard to other things, how many children, how many young children have to be screened with a blood test for sickle cell anemia before you find one? How many young children in preschool have to have a hearing examination before you find one that is hearing impaired, or vision screening before you find one that is visually impaired? How do you put a dollar value on these kinds of things, Mr. Speaker? You cannot do it. And if you start trying to do it, then you ration everything and it becomes a matter of what is a person's life worth, whether it is at the beginning or the end.

I yield to my colleague.

Mr. BROWN of Georgia. I thank you, Dr. GINGREY, for yielding.

Carrying down that same road that you were talking about, I have practiced almost four decades as a family doctor. I have done colonoscopies and sigmoidoscopies. We do routine digital rectal examinations on patients for prostate cancer. We do PSAs routinely in screening. We do cholesterol screening and blood sugars and hemoglobins and all of these different tests that the American people wouldn't understand unless they have those diseases or have studied those things.

□ 1800

But you're exactly right, Dr. GINGREY. The screening for, for instance, colon cancer, we do a lot of checking stools for blood, doing flexible sigmoidoscopies even colonoscopies for colon cancers. Frequently even at colonoscopies we take out polyps that

could turn out to be cancer if they're not removed.

This cost-effectiveness panel, Boss Hogg, very probably is going to cut off all that screening. And you're going to have more people get prostate cancer, more people get colon cancer, more people get breast cancer, more ladies get cervical cancer because those screening tests that Dr. GINGREY is talking about, Mr. Speaker, very probably are going to be cut off and denied to patients because they have to stop paying for all these tests because of the comparative effectiveness. Particularly when you look at it, young people from old people compared to how you spend your dollars, we're going to have tremendous rationing of care.

So everybody in this country is going to have their insurance dictated by Boss Hogg, the Federal Government. Everybody is going to have their care dictated by Boss Hogg, the Federal Government. Everybody in this country is going to have a Federal bureaucrat standing between them and their doctor. It's not right and the American people need to stand up and say "no" to the ReidCare bill. They need to say "no" to the PelosiCare bill, no to ObamaCare. And let's lower the prices for everybody.

Republicans have many, many bills that we've introduced. I have introduced one myself, H.R. 3389, which is a comprehensive bill. It does not add one nickel of increased spending to the Federal Government, and it puts the patient and doctor in charge of those health care decisions.

Dr. GINGREY, I appreciate your doing this Special Order, and I appreciate your bringing these very pertinent things to the attention of the American public by doing this Special Order. And I just applaud what you're doing here because in Hosea 4:6 God says, "My people are destroyed for lack of knowledge." And the American people are going to be destroyed for a lack of knowledge about what this PelosiCare bill is going to do or the ReidCare bill is going to do that Barack Obama is pushing down the road. We've got a steamroller of socialism that's going to cost jobs and destroy the quality of health care, and the American people need to stand up and say "no."

Thank you, Dr. GINGREY. I appreciate it.

Mr. GINGREY of Georgia. Representative BROWN, Dr. BROWN, I thank you very much.

Before we move on, Mr. Speaker, to another subject that's hugely important, indeed, what we took up here today on the floor of our great House of Representatives, I just want to make one closing comment in regard to this issue of rationing of care and in particular in regard to this new recommendation to dumb down the care, indeed, the screening, for breast cancer. I don't know how to put it any other way than to say that it dumbs down that care and that opportunity for early detection and lives saved.

Mr. Speaker, there are female Members of this body, great, great Members on both sides of the aisle, women that represent their districts all across this country that serve in this 435-Member House of Representatives. And, unfortunately, a number of them, a number of them have been stricken with breast cancer. In fact, Mr. Speaker, it may have even been before you were here that a Member on our side, a wonderful, wonderful Member from Virginia, struggled with her breast cancer for several years with great, great courage and fortitude and hopefulness and faithfulness, and God called her home. She died from the spread of that breast cancer. And it was such a sad day.

And then I think of Members, Mr. Speaker, on your side of the aisle that at a young age, in their early 40s, have been stricken with breast cancer, women with beautiful young toddler children. I've seen them walking down the Hall of the Cannon Building, you know, a great Member, a great friend, but I'm very thankful for her that early detection occurred because of, I don't know, probably a combination of breast self-exam but maybe it was mammography, and we hope and pray and really feel very confident that our colleague has a complete cure.

So when we bring up a subject like this, it's not to be morbid and not to scare people, Mr. Speaker, but just to inform in the reality and the unintended consequences sometimes of the things that we do. Particularly when we draft 2,000-page bills that you don't bring everybody together on both sides of the aisle in a bipartisan way and utilize the doctors, the doctors, not just the leadership and people that have been on these committees of jurisdiction for 30 years who write these bills in the dark of night and then just throw them out there in front of us and say you've got 24 hours to read it and vote up or down and, oh, by the way, you can't amend, it's a closed rule. It's wrong. It's wrong but it also is dangerous.

Mr. Speaker, in the time that I have remaining, I want to shift gears a little bit because today on the floor of the House the main thing that we dealt with was a bill called H.R. 3961. Now, the number is insignificant really except to look it up on the Internet, but let's call it what most people would recognize it as, certainly most physicians, all physicians across the country would understand, the "doc fix" bill. The "doc fix" bill.

Our physicians for the last 15-or-so years, maybe more, maybe closer to 20 years, but there is a flawed formula for calculating how much they are reimbursed for the procedures that are done under the Medicare program. And for the last at least 6 or 7 years when you calculate that formula—we'll call it for abbreviation purposes the SGR formula, sustainable growth rate—and every year for the last 6 or 7, the calculation says you doctors who are just barely breaking even, maybe not even

breaking even, maybe losing money, seeing Medicare patients out of the goodness and compassion of your heart, for which we commend you, are going to have to take next year a 5 percent cut, and then we calculate it and then the next year a 4½ percent cut, and on and on and on.

Well, each year over the last several years, we have come in and passed a law that would say we're going to mitigate that cut for this year, and we're going to let you get reimbursed on the basis of what you got last year and we're going to bump it up 1 percent or .5 percent or whatever, and we're going to do that for a couple of years.

We literally are going to kick the can, kick the can down the road, Mr. Speaker. You know that expression. Because that's what we're doing. Maybe we kick it soccer style. But the problem doesn't really go away. So the next time in the aggregate, instead of a 5 percent cut, you've got a 10 percent cut or a 15 percent cut. Indeed, January 1, 2010, in the aggregate that cut will be 21 percent if we don't do something about it.

Well, Mr. Speaker, what the Democratic majority and what President Obama said to the American Medical Association way back in June is in this bill, this health reform act that we're going to pass that we're going to totally reform one-fifth of our economy, we're going to have in there a permanent fix for the doctors. We're going to solve the problem.

And, doctors, also we know you have another concern. Mr. Speaker, you're aware of this. My colleagues, I know are aware of it. You doctors have this concern over medical malpractice and this need to defend yourself against these frivolous lawsuits by ordering all these tests on patients that are not only unnecessary but indeed could be downright dangerous to the patient, but yet you keep doing them because you don't want to be dragged into a court of law and have some slick attorney or some expert witness hired by some very capable, smart attorney saying, Oh, yes, this doctor practiced below the standard of care because he didn't order a fizzle phosphate level, whatever the heck that is.

So I was so thrilled when Mr. President said to the AMA, Mr. Speaker, that there would be medical liability reform. We would solve the low payment based on that flawed formula, SGR, and we would at last have medical liability reform.

This bill, 3962, that we passed last Saturday night had none of that in there, and the Democratic majority just took out the "doc fix" because, guess what. To do it costs about \$290 billion, Mr. Speaker, and would push the cost of this massive monstrosity of a bill over the \$900 billion, which the President had put a cap on, a ceiling, and said he wouldn't sign anything that cost more than \$900 billion. I say even if you pay for something that costs \$900 billion, if the final result is

an Edsel, you have not accomplished very much.

But, indeed, the bill was pulled out and the President and Ms. PELOSI said, basically, not to worry, not to worry. We're going to come and we're going to introduce this bill as a stand-alone, and indeed that's what we did today, 3961, and we're going to pass it. But you know what? It ain't paid for. And whether it costs \$210 billion, \$230 billion, \$275 billion, I'm not sure of the exact figure, but it's north of \$200 billion, and my Georgia Tech math tells me that that's about a quarter of a trillion dollars. It's going to cost that much money and we're not going to pay for it.

The debt now is something like \$12 trillion. So we're going to add another quarter-trillion dollars to the debt. In fact, we're going to even have to add to the debt ceiling because we're going beyond what the law allows us to do.

So, Mr. Speaker, my side of the aisle looked at this very carefully, particularly the physician Members, the 13 of us that form the GOP Doctors House Caucus. And we said, you know, we want to do right by our doctors and we want to do right by our patients and we want to do right by the country, and we can fix this and we can pay for it. So we had one opportunity today to offer a motion to recommit with our design of how we pay the doctors a 2 percent increase every year for the next 4 years under Medicare and we pay for it.

And the way we pay for it, Mr. Speaker, in that motion to recommit, is to have that medical liability reform in the bill among a couple of other things to generate revenue, and it's revenue that the CBO says is at least \$54 billion. So our motion to recommit, our bill, on "doc fix" is paid for. It's a real "doc fix."

But you know what, Mr. Speaker? You were here. All my colleagues were here. We got ruled out of order. The Chair said our motion to recommit was nongermane because H.R. 3961, the Democrats' "doc fix" bill, the \$290 billion not-paid-for bill, well, we weren't consistent with that because we paid for our bill; therefore, it was nongermane. Now, what can kind of idiocy, what kind of idiocy is that, Mr. Speaker and my colleagues?

This is something the American people need to understand, and certainly I think the doctors understand. We had an opportunity to do this and do it right, and we were denied even to vote on that motion to recommit. It was tremendously disappointing to me because, Mr. Speaker, I had the opportunity, the privilege, the distinction of offering that motion to recommit, and I wanted to explain to my colleagues exactly what our bill does. And the chairman of the Energy and Commerce Committee denied me the opportunity even to speak, getting the Chair to rule that our motion to recommit was nongermane.

□ 1815

So every time I tried to speak, I was gavelled down. Mr. Speaker, that's not what the American people want. If we were in the leadership, they would be appalled. I think they're appalled tonight with your party in the leadership. The American people don't want that. They want Members to have an opportunity to represent their districts, to represent their principles, and to represent and fight for this country and not be silenced.

And that's what happened on this floor today. And it's got to stop, Mr. Speaker. It's got to stop. And we will continue to fight. This bill that was passed here today, there was not—I think there may have been one Republican that voted for it, and there were 9 Democrats that voted against it. So there was bipartisan opposition. But your party, Mr. Speaker, had the votes, and you passed it.

But it's a sham of a bill, and you know it, because the Senate, 3 weeks ago, totally rejected the bill with 14 Democratic Senators voting no. They couldn't even get a cloture vote. That bill is dead on arrival when it gets to the Senate. Our bill had an opportunity to pass and get to the President's desk and give the doctors relief for the next 4 years, at least. But, no. We had to do it the same old same old way of forcing things on the American people. It's not right, Mr. Speaker, and it's not going to stand.

I appreciate the opportunity, as I said at the outset, to come and to talk about this with my colleagues, because I only had 5 minutes to speak about our motion to recommit this afternoon. Five minutes to explain, not hyperbole, not harsh rhetoric, just to explain what our bill did in contrast to 3961, the majority bill, which, as I say, is not going anywhere and the Democratic leadership knows it's not going anywhere. So it is a sham. It's not a "Doc Fix," it's a "Doc Trick."

And I want to be, as I move to wrap up, I want my colleagues to just look at this one chart, one poster that I have to show. And this is my depiction of a Trojan horse. And you might not can read this writing, but on the Trojan horse is a saddle, and it says, the Democratic "Doc Fix" Bill, H.R. 3961. But on the back of the horse you see the overall health care reform act, the Pelosi Health reform act of 2009, yes, with the \$500 billion cuts to our precious seniors under the Medicare program, kind of slipping right on in there. That Trojan horse is this democratic "Doc Fix."

But when they, and if they, and I hope and pray to God, Mr. Speaker, that it doesn't pass, but if it does, this is what's going to happen to the American people, not only to our doctors, but to our patients and especially to our seniors.

With that, Mr. Speaker, I want to yield a little time to my great friend from Texas, Judge LOUIE GOHMERT.

Mr. GOHMERT. And I appreciate my friend for yielding, and the great points

that he's been making as a physician, someone who is used to healing people and taking care of people, and it's great to have your insights as a physician. But the points you've made are so right on target. As our friend knows, they added on what they call the PAYGO provision to the end of this bill, saying, all right, from now on we're going to start paying for things and having offsets so we don't add to the American deficit.

Mr. GINGREY of Georgia. After we don't pay.

Mr. GOHMERT. After we don't pay. And that's the thing. They put the PAYGO provision in the rules when they took the majority and have repeatedly ignored it over and over. Well, this past summer there was a bill that they called the PAYGO bill, and it was, they said, now, we realize we put this in the rules, that we would have to provide, if we're going to add money to the deficit, well, we're going to have to come up with some way to pay for it so that doesn't add to the deficit.

And so this past summer, there were 24 Republicans who were persuaded—you know, even though they haven't meant it for the last 2½ years, they've repeatedly violated their PAYGO provision, this time they really, really, really mean they're serious about PAYGO. And I knew they hadn't, when they were really serious, and when they were really, really serious they were going to abide by the PAYGO rules. But this time I thought, you know, they're going to put this in a stand-alone bill, so certainly they would not want the flak of coming back. And I voted with my friends across the aisle, the Democrats, that they couldn't just bring up a bill unless there was money provided in the bill that would make it deficit-neutral. And so I voted for that.

Well, they fooled me. Here they come right back with a bill costing hundreds of billions of dollars, and they said, you know, what, that PAYGO stuff we passed in July? We still mean it, and we really, really, really mean it this time, but we're going to add it on and start applying it after this bill.

Well, that is just so incredible. I mean, the American people, as we're seeing, are not stupid. They realize what's being done.

Mr. GINGREY of Georgia. Reclaiming just for a second on this point. The gentleman from Texas, Mr. Speaker, is so right. And to do this, of course, now they're going to have—they're going to go over the current debt ceiling by law. They're within, I think, \$70 billion of the current debt ceiling, so they're going to have to, in the next couple of weeks, before Christmas, they're going to have to increase the debt ceiling once again.

And you know what? That's not going to be a stand-alone bill, because they don't want that, the light of day to shine on that. That's going to be embedded in something else, is it not, my friend?

Mr. GOHMERT. It certainly will be. You figure that's what they'll do so that maybe people may not notice that they've yet again increased the deficit. And that was one of the things they ran on and took the majority for in 2006. There was too much spending. And now, they have just come in and taken that, as somebody said earlier today, I mean, it's deficit spending on steroids.

But even more than that, coming back to health care, I don't want the government between me and my doctor. I don't want insurance companies between me and my doctor. And for a long time now, we have had not health insurance, but health insurance companies managing health care. And I appreciate insurance. I think it is extremely important to help us ensure against unforeseeable events. But some of us have talked about and have pushed, on our side of the aisle, the health savings account. Everything that—all of the bills that have been proposed from the other side make detrimental cuts and damage to the health savings account. That is the one area where people in their twenties and thirties now are given incentives, and their employers, and they start paying into health savings accounts now.

Most of them, the statisticians tell us, by the time they're ready to retire, they will have so much money in their health savings account they could continue to pay out of that to buy a catastrophic care policy. But they won't need the government between them and their doctor. They won't need an insurance company telling them, well, that medicine is not covered, that treatment's not covered. They've got their own money. And in the meantime, we could even have health savings accounts. It would be cheaper than what we're doing just to let seniors have health savings accounts and buy them catastrophic care, provide the health savings accounts and the insurance, and then, for the first time in the history since we've had Medicare, seniors would have nobody in the government standing between them and their doctor, them and their treatment.

That's the kind of thing I know, talking to friends on this side of the aisle, we want. We don't want an intermediary between patients and their doctors, not the government, not the insurance companies. And we've got plans, we've got bills, we've got suggestions, and everybody on our side of the aisle has been shut out. And this bill today, a "Doc Fix," was a "Doc Tricks." And I'm hoping and praying my doctor friends understand that this was not going to address their needs. It looked like a fix. This wasn't going to pass the Senate. This was an effort to drive a wedge between physicians and the people that believe politically in the Constitution the way they do.

Mr. GINGREY of Georgia. Mr. Speaker, reclaiming my time, the gentleman from Texas is dead on. He's absolutely right. This 3961, the so-called "Doc

Fix," and Representative GOHMERT and I agree, it's a "Doc Trick." It mitigates the 21 percent cut that's coming due January 1st. And it gives a positive update, I think, of 1 percent for 1 year. But then after that, Mr. Speaker, here comes the trick that Judge GOHMERT was talking about. There's going to be a formula, a new formula, not the SGR, but this new formula, based on GDP. So if you're a primary doc and you're doing examinations, histories and physicals in your office, so-called "evaluation and management," you get GDP plus 2 percent.

But if you're a specialist, like I was, an OB-GYN or, say, a urologist or general surgeon, it's going to be GDP plus 1 percent. Well, if the GDP is a negative number, then here again the doctors have no confidence that they're going to get paid a decent reimbursement for their services. So indeed, it is a trick. It is not a fix.

Mr. Speaker, I want to take an opportunity—we've been joined by our good friend from Missouri, who has been with us on a number of occasions on health care and other issues, and I want to yield to him some time. And I'll yield to the gentleman, Representative TODD AKIN from Missouri.

Mr. AKIN. Well, it's just a treat I have a chance to join on the floor a couple of my very good friends. We've got a guy who's a medical doctor and a Congressman. We have a friend of mine whose a lawyer, an attorney, of course, and also a judge, and here I am the engineer. I guess it's almost setting up the beginning of a joke or something. You're talking about the cost of this bill that was unfunded today. We're talking about, and the numbers have been different. I've heard different people quote things. The lowest number was \$210 billion. The higher number was \$279 billion, as I recall, somewhere in that neighborhood of a quarter of \$1 trillion.

Now, just the amount of money that I have to pay bills, that amount of money is a little beyond my imagination, so I'd like to try and think of how much really are we talking about here. And I think maybe it helps to put it into perspective. Democrats and some Republicans were critical of George Bush for spending too much money. His worst year, in terms of creating a deficit, or creating a debt within a year, was 2008. That's when the Democrats ran the House here, and that was his biggest spending year, and he ran up a deficit of 250 something, no, excuse me, 450-some billion dollars, which was too much money, and various people thought we shouldn't have spent so much money—450.

Now, if you take a look at 2008, then you move to 2009 and you have President Obama spending, with a Democrat Congress, and that's \$1.4 trillion. So we're talking about three times more money was spent beyond our budget in 2009 than in 2008. So putting those numbers, you've got 450 for Bush, 2008; \$1.4 trillion, 2009. And now, on top of

that, you're talking about here 250, perhaps, billion dollars in addition, which is not small change when you're already way beyond with the budget.

And I recall my good friend from Texas, he has a down-home way of putting things that Missourians like me can understand. He says, this time I really, really, really am going to do it. It reminds me of trying to get through high school. You guys were really smart in school. But, you know, I always had trouble trying to study. And there would always be a test coming up. I'd say, God help me in this test because next time I really, really, really will study for this test.

Mr. GINGREY of Georgia. If the gentleman would yield. Is that similar to a triple-dog dare?

Mr. AKIN. That may be almost a triple-dog dare. I've also heard it, now that I'm starting to get older and have to push my hands away from the cookie platter, you know, that I'm going to start my diet to lose a little bit of weight, but it's going to start tomorrow, you know.

□ 1830

Maybe just the day after tomorrow, but that is when I am going to start up. I really am going to do it, it's just not going to happen right now.

Mr. GINGREY of Georgia. I thank my colleagues. And they're well on target, of course. We're just, Mr. Speaker, trying to make sure that all of our colleagues, all of our colleagues and their constituents understand that we on this side of the aisle, the Republican Party, we feel that we have the best health care system in the world. We think doing routine screening mammograms starting at age 40 and emphasizing and recommending breast self-examination, screening young African American children for sickle cell anemia, doing routine screening of hearing and vision in preschool for all of our children, we think all of these things are good.

We have a great health care system, and it's not perfect. We know that there are things that can and should be done. But in an incremental way, Mr. Speaker. Not spending \$1.5 trillion, not spending \$900 billion. I guess the Senate got a score of \$785 billion, and they're just elated.

Mr. Speaker, when you spend \$250 billion—when you spend \$100,000, for that matter, on something that is bad for the American people, you have done them a grave disservice—and especially all of the spending at a time when our unemployment rate is 10.2 percent. Some of us have members of our own family who have children who have lost their jobs—16 million across this country.

And we have this situation in Afghanistan where a four-star general, Mr. Speaker, a commander who was put there by President Obama, says to his Commander in Chief, "Mr. President, I need help. We can win. I need help."

Well, how can that not be a higher priority than totally reforming our health care system, throwing the baby out with the bath water, spending a trillion dollars, or \$2 trillion, or \$2½ trillion? How can that be more important than putting people back to work?

The President, Mr. Speaker, was just over there on a 9-day trip. I wish he had been right here inside the Beltway in the Oval Office working on this issue and this economy. But I hope while he was over there that he got some advantage out of it, Mr. Speaker, and maybe asked Hu Jintao, the Chinese President, to write him a check for \$210 billion so he can bring it back and pay for this Trojan horse that we just passed here on the floor of the House today in the name of H.R. 3961.

I want to yield to my good friend from Texas, Judge GOHMERT.

Mr. GOHMERT. Thank you.

I just had a quick question back to my physician friend, Dr. GINGREY from Georgia.

If my friend were in his doctor's office in Georgia and somebody from Washington came and said, "Look. I want to get this message out to all of your doctor friends. Here's what we're going to do. We're going to cut \$500 billion in reimbursements to you and your friends, but you need to be ecstatic because we've got a bill that's not going to pass, it won't ever get through the Senate, but it will get you back \$250 billion of that \$500 billion we're going to cut. Aren't you happy?"

Would you really trust that person from Washington that came with that kind of news?

Mr. GINGREY of Georgia. I have heard it said, "I'm here from the government. Trust me. I'm here to help you."

Mr. GOHMERT. That is the kind of trust that is being asked.

Mr. GINGREY of Georgia. I think Mr. Reagan said it right. "Trust but verify." The verification is yet to come.

Mr. GOHMERT. And when you do verify, you see this is not a fix for the doctors, and it's going to have to be addressed next year. It's called a 10-year fix, but it's not really a fix that is going to fix anything for very long. It's just a game being played here in Washington, and we want something better.

When I think about our seniors, the relatives of mine that are seniors, and think about somebody cutting the care to their doctors; and then I hear from doctors who say, "Look, I'm younger than I anticipated retiring, but with the games you guys are playing, I'm about ready to hang it up." I know if they do, because of the areas of service they provide to our seniors, to those who need care, there's not going to be anybody there to fill those needs, and they're going to be in lines if we keep doing this stuff to our doctors.

We can't be playing games like this with our doctors. It's unfair to the seniors. It's unfair to those who need health care. It's time to do a real fix of

the health care system—not the games played with this ridiculous 2,000-page bill—but a real bill that will get people in the government and from insurance out from between patients and their doctors; give patients coverage, give them control, and let health care finally be healed of this government disease that has afflicted it for too long.

Mr. GINGREY of Georgia. I thank the gentleman from east Texas so much for being with me tonight.

Mr. Speaker, as I bring this to a conclusion, let me just say that we hear the term all the time in the military about collateral damage, and we worry about it. Every time we fire a rocket or use a predator drone to get the really bad guys, we worry about collateral damage.

Well, we should be just as worried about collateral damage in the social programs that we are enacting up here as the representatives of the people, especially when it's dealing with health care, because in both instances, both in the military and socially, the collateral damage can result in lost lives. We're talking serious business here. We will continue to fight for the right thing.

With that, Mr. Speaker, I yield back the balance of my time.

THE HISTORY OF THANKSGIVING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes.

Mr. AKIN. Good evening.

I have a chance to get out here on the floor at various times, and some of our subjects that we cover are pretty serious in the sense that we are talking about overspending and some of the various government policies.

However, at this time I would really like to turn to a somewhat different topic, as we have already adjourned and are thinking about heading on our way home to celebrate Thanksgiving. As many, many people know, when you think of Thanksgiving in America, a uniquely American national holiday, your mind goes immediately to the story of the Pilgrims.

In fact, they were maybe not the first to declare a day of Thanksgiving. Supposedly, according to history, in 1619 there was a celebration of some Thanksgiving in Virginia. But the main one that we think of is the story of the Pilgrims, and the Pilgrims' story is probably the greatest adventure story that history has ever dealt to mankind. It's bigger than life. It's bigger than the biggest screen kind of thing you could imagine on television.

It's big because the fact that the Pilgrims had such a bold vision for where they were going and what they were trying to accomplish. It's big because of the tremendous amount of daring and their enterprise and the tremendously high price that they paid; the suffering, and the perseverance in

terms of character. It is a huge story because of the incredible intricacies of the providence of God that wove all of these amazing different kind of situations together in such a fascinating pattern.

It is the story of American Thanksgiving, but it is a story of much more besides, because the Pilgrims gave us much more than just Thanksgiving—they gave us our entire American system of government and some views on economics and a couple of other very, very important starting points for America.

The Pilgrims had a tremendous influence on the way that America as a nation was going to start partly because of their early arrival date, but also partly because of the vision and the source of where they got their knowledge from.

Today, we are going to look at this incredible, bigger-than-life adventure story about the Pilgrims. I believe it is probably being recorded and may be available in segments on our Web site at some time in the future.

First of all to understand the Pilgrims, we have to know who they were. The Pilgrims were comprised of several different groups. The most noteworthy were a group of people that were frequently called either Brownists or Separatists. They were in England in the 1610-, 1620-ish type of time frame, and they were, if you will, in a sense a sect of the Puritans. They were what we would today call evangelical Christians, except for they had this weird idea. Not weird to us today, but weird in those days.

And that was, as you recall, in England after Henry the VIII, the church in England had been taken over by the King. So the King ran everything. He ran the church, he ran the state, and everybody's lives, and everything else. So that was the way he did it in jolly Old England.

But there was a group of these Christians who had been reading some of the writings that were written about 1580 or so in Scotland talking about a pattern that they saw in the Old Testament; and that pattern was that there appeared to be several types of governments. They noticed Moses seemed to be a little bit like the governor or the President or whatever, but Aaron ran the worship service. They saw this separation of civil government from church government. As they studied it, they found other patterns.

They found the first King of Israel, Saul, and Saul had an army, and the army was very frightened. Samuel was supposed to give a sacrifice, and he was hoping the sacrifice would buck up people's courage. But Samuel wasn't around when he was hoping he'd be there so Saul took the initiative, offered the sacrifice, Samuel read him the riot act and said, "Now you really got God mad at you." And again you see a mixing of civil and church governments which apparently in the Old Testament seemed to be separated.

Anyway, this theologian was making notes, and this little group of people called Separatists took the idea that they were going to separate civil government from church government. Now, they never had the idea of taking God out of anything. That's more of an invention of the Supreme Court in the mid-1900s.

But this little group of people here, this picture that I have—which has been touched up a bit; computers do wonderful things—is actually in the public domain, and it is on the wall of the Rotunda of the Capitol not more than a few hundred feet from where we're standing right now. It's a bit darker. This has been lightened up some. You have a picture here of these Separatists, and these Separatists are at prayer, and this is being depicted. It has got a beautiful rainbow. It says "God with us." This has been touched up so you can read it a little bit better. You have got the building of Delftshaven over here. You have the Pilgrims at prayer before they're going to be starting on this fantastic adventure.

But we need to back up just a little bit to say, where did these guys come from?

They were these Separatists in England. They met in Scrooby, England, and there were different leaders. One was John Robinson, who was their pastor; another one was Bradford, who was actually an orphan. He had been growing up as a child with some relatives and then attached himself to these Separatists—or as some people thought of it, in a way, as a cult.

And what these people decided to do was to create their own New Testament church. So they met at a manor house in Scrooby, England, and together they covenanted to start this little church.

□ 1845

It was not under the king, particularly King James. They didn't like King James. King James was a little bit weird. He had some very weird habits. They didn't want him running their church, and they decided they were going to be Separatists, get their own pastor and have their own worship service.

Well, King James didn't like that. He said, I'm going to harry them out of my country. And so, they were harassed at every side, all kinds of different taxes, their women put in stocks, humiliated, put in jail, and property confiscated. In fact, the life of these Separatists was made so miserable, even though they tried to meet secretly and arrive at worship services at different times so people wouldn't get wise to them, eventually they were harried out of England as the king said he would do, and they moved over to Holland in the Leiden area.

Now, they worked there for a number of years. It was very, very hard living. Of course, they had a different language, it was not easy to make that

cultural jump, but they did have religious freedom in Holland. And after, though, about a 10-year-or-so period, what they started to notice was there were a number of things that they didn't like.

First of all, their bodies were being worn out. They had to work so many hours 6 or 7 days a week that they were prematurely aging. But worst of all, their children were picking up bad habits from the Dutch children, and they had made such a big effort to try to walk closely with God that they didn't like the idea of their children being sort of absorbed into the Dutch culture. So they started casting about for what they might do, and they had a vision for trying to do something that was significant and different in their day. And so it was that they struck on the idea of moving from Holland over to America.

At that time in England, there were these various loan sharks and merchant adventurers and different companies that were being set up that thought they could make a whole lot of money if they could just get some trading posts set up over in North America. So they were going to the king and getting what we would think of today as a corporate charter to start a company, which was really planting a plantation or a little colony, which would be a trading post or a base to do trade for different things that might be of value in North America. There were also some that were going down further into South America from other countries as well.

So anyway, this little group of Separatists under John Robinson with Bradford, who was the young, now strapping farmer who was growing up, are here pictured on a ship that is called the Speedwell. Many people have not heard of the Speedwell, but Speedwell was rented by them to take across the ocean to North America. In fact, their charter that they were getting was for a colony in Virginia. And so here they are, and what has happened is they have gone from Leiden earlier this day in three barges and run down some canals from Leiden to Delft Haven. This picture is in Delft Haven and depicts one of their prayer meetings before they were going to leave, just as they were departing.

Now, we have from history a record of some of John Robinson's, their pastor's, words at this time of departure. Robinson was very much loved by the Separatists because he was, first of all, a very kind and gentle guy. He wasn't judgmental, and he tended to bring groups of Christians together that had their different doctrinal disputes. They used to settle things with fisticuffs and worse in these days if you didn't agree with something theologically. Robinson was a much more tolerant kind of guy but a man who knew what he believed, and he believed that God meant civil and church governments to be separated. And so he preached, and you can imagine, because he had many,

many people who could not go on this expedition, so he stayed behind with his congregation. But his heart was in this great, great adventure that was soon to take place. So he set, in a sense, the tone by his last words. This was the last time that Robinson would ever see his beloved Pilgrim people again. And so, in a sense, he is preaching to them here.

I think we need to take a close examination of these words because it sets up the entire great story of the Pilgrims. He says, I'm fully persuaded that the Lord has more truth yet to break forth out of His holy word. Remember, that it is an article of your church covenant that you shall be ready to receive whatever truths shall be made known to you from the written word of God.

Now, what he is saying here is the concept that while lots of people can read the Bible, what he is saying is the Bible, in a sense, is a blueprint for civilization, a blueprint to do something new that the world has never seen before. So he says now you need to keep your hearts and minds open to what is in God's word. Remember every other article of your sacred covenant, but I must here withal exhort you to take heed what you receive as truth. Examine it, consider it, and compare it with other scriptures of truth before you receive it, because it is not possible that the Christian word should come so lately out of such thick anti-Christian darkness and that perfection of knowledge should break forth at once. Now, here, what you have is a vision for what Robinson was giving to the Pilgrims coming to this land.

It's commonly told, people, that the Pilgrims came here for religious freedom. Of course, that's not true. In fact, much of what you hear, the stereotypes of history, in fact, are not true. They had religious freedom in Holland, so they didn't come to America for religious freedom. They had that in Holland. Instead, this shows a much greater vision, a vision that they were trying to build a civilization different from what they had seen in England and in Holland, a new entire concept using the Bible as the blueprint to do things in a different way.

Now that is not exactly a small thing to want to do because we tend, as we grow up, to do things the way our parents taught us to do them. We tend to do things the way the people around us do them. We copy the habits and the way that our culture works. And so these people are saying, wait a minute, before we just assume the way we used to do it was right, we are going to keep checking it with the Bible and see is this really a biblical way to do things? And so, this was the vision of Robinson and it was depicted here by the artist as the Pilgrims here are leaving Delft Haven and on their way over to England. They are going to be shuttled to England over to Plymouth, and there they are going to rendezvous with a larger ship, the Mayflower, and the

Mayflower also has some Separatists and other just jolly old blokes that came off the streets of England.

Now, what is going to happen in this expedition is new to America in this regard. It is true that Jamestown, there had been numerous attempts to try to establish a colony there, but it was always groups of men mostly interested in finding their fortune and finding gold. This was a very different kind of expedition, because this, as you can see, is men, women, and children, and they are coming particularly for this great purpose of this great adventure.

The first thing that happened was a little bit like a family vacation. The idea was to start across the North Atlantic in the summertime. And as you think about family vacations, sometimes they start with somebody forgetting their wallet, forgetting to lock the door of the house, forgetting to bring a suitcase, and so they had a couple of fitful starts. The fitful starts particularly were because this ship, the Speedwell, when it put to sea, started leaking.

Now, leaking is not a good thing in the North Atlantic, and so they had to go back and they had the ship recaulked. The Speedwell started out again and, under heavy sail, she started leaking again. So they brought her back, finally made the decision to leave the Speedwell, to sell it, and to put as many of these different people we call Pilgrims into the Mayflower; it turns out, 102 of them. So they were all packed as tight as could be into the Mayflower. Speedwell was left behind, and that, of course, delayed their getting off, and so they got off later in the year at a more dangerous time in the North Atlantic.

As they were on that trip, to begin with, as you can imagine, the first thing that happened was they started to get seasick. And if anybody has been seasick badly and been on a little, small ship being tossed about by the waves, it can be pretty miserable. There was a boatswain's mate that made fun of them. He called them "puke stockings" or "puke socks," and he said they were kind of green colored. And he said, We are going to be feeding you to the fish pretty soon. We are going to sew you up in a sail and put a brick at your feet and push you overboard, and you are going to be dying.

Well, what happened is the storms got worse and worse, and even the sailors got concerned. It turns out the one guy, the boatswain's mate that was teasing them and making fun of them, he just sort of amazingly within 1 day got very sick and died, and he was the first one that went overboard.

In the meantime, the storms got more and more severe, and the Mayflower, and you can imagine 102 of these Pilgrims basically underneath the decks, not safe to go on deck, underneath the decks, seasick, lots of kids down there, men and women packed into these tight quarters and

being just tossed about continuously by the storms, and they were a noteworthy group. These people did very little complaining, and it would have been an absolutely miserable time.

How long were they down underneath that deck with the storms banging them around? Well, on the main part of their expedition coming across from Plymouth, England, over to the North America continent, that was a 66-day trip; in other words, 2 months of being under.

Now there was one young man that made the decision that he wasn't going to stay down there. It smelled so bad, it was so crowded and so noisy and intolerable, he decided he was going to go up on deck. He went up on deck, and all of a sudden, the deck dropped out from underneath him, and he found himself in the middle of the North Atlantic in November. That water will wake you up in November. And it is estimated that he wouldn't have lasted more than a few minutes at that temperature. But at that time, the Mayflower was knocked over by such a severe blow that some of the rigging dragged in the water, and as he was drowning, he put his hand out, grasped the piece of rope—he is turning blue he is so cold—holds on to it and is hauled back on deck. He went down like a halfway drowned rat down below and did not return back again on deck until there was a safe time to come up after they had sighted land.

This was a very, very difficult passage for the Pilgrims, yet they showed an incredible endurance and willingness to suffer hardship. So we have this little group of people propelled by prayer, propelled by a vision, not coming to America for religious freedom, but for a much bigger vision, the idea of a new nation founded on a different set of principles, unlike anything found in England and Europe before.

Well, let's see, how well did they do? Well, first of all, one of the things that happened was, as a result of all of those storms, they were driven off course in their ship. And as they were driven off course, they landed or they first sighted land out on Cape Cod. We summer vacation out in Cape Cod. I go sailing there and know something about the nature of the way Cape Cod sticks out into the ocean. It's thought it was pushed there by great glaciers. They saw the shore of Cape Cod. They knew enough about the shoreline of North America to know it was Cape Cod. They knew where they were. They knew where Virginia was. They were too far north, and they immediately tried to head south down toward Virginia because the contract that had been signed, or the charter as it was called, was for Virginia. But the hard winds and the weather did not allow them, even though they tried several times to go south along the outside of Cape Cod.

If you think of Cape Cod as a great sandy hook, they were out on the tip. They were trying to get south. But

these old square-rigged ships like the *Mayflower* were not very good at pointing into the wind, and it was very dangerous to be caught with the wind blowing you on the lee shore, and so they had to be careful. After a number of tries, they decided instead to bring the *Mayflower* to anchor around the tip of Cape Cod where there's a natural kind of swirl of sand which we call Provincetown. There was a nice harbor there. So they pulled the *Mayflower* into the harbor, dropped anchor, and kind of caught their breath, if you will, from this trip.

They weren't beaten by the waves, of course, there, and the first thing that came to their mind was some of the people realized, hey, this is like Australia. No rules, mate, down under, and so when we go to shore, there is no contract. The contract was for Virginia. There are no rules, and therefore we can do whatever we want.

Well, the Separatists saw that that was very much close to anarchy, and they knew that they had to do something to establish some type of order. And so they struck on the idea of pulling a piece of paper out and writing what we call the *Mayflower Compact*. The *Mayflower Compact* was actually the first U.S. Constitution and the first constitution in the world of this type. And it was, as we will talk about in just a minute here, you will realize that this was an absolutely incredible foundational stone for the building of a new nation.

But let's take a look at what the *Mayflower Compact* actually said. I just have some excerpts from it. It's about 2½ times longer. This is pretty short, just one page. It starts out: In ye name of God, Amen. We whose names are underwritten, having undertaken for ye glory of God and advancement of ye Christian faith and mutually in ye presence of God and one another, covenant and combine ourselves together into a civil body politick for our better ordering and preservation to enact, constitute, and frame such just and equal laws as shall be thought most meet and convenient for ye general good of ye colony under which we promise all due submission and obedience.

Notice the basic ideas here in this document. The first thing is that this is a contract under God by a group of free people to create a civil government to frame just and equal laws and essentially to be their servant. Let's say that again. This is a government under God of a group of free people creating a civil government to be their servant and to frame just and equal laws to protect their rights and liberties.

□ 1900

That basic idea of this *Mayflower Compact* is the same idea as in our Declaration of Independence: We hold these truths to be self-evident that all men are endowed by their creator with certain inalienable rights. Among

these is life, liberty, and the pursuit of happiness, and governments are constituted among men deriving their just powers from the consent of the governed.

Sound a little familiar? 170 years later, this is the first Constitution in America, a group of free men and women, under God, creating a civil government to be their servant.

Now you say, Well, that does seem like a nice thing, but what's so unique or special about that? Well, you recall these people had a vision of planning a civilization different than the way they did things in Europe. If you take a look at the way they did these in Europe, this becomes much sharper in how distinctive it is, because in Europe the basic idea was the divine right of kings. For people who were politicians, this was a good deal. The king says, God made me the king. When I say jump, you're supposed to say: How high? And that was the way it was done all through Europe, and yet these people rejected the concept of the divine right of kings and said, No, the government is to be the servant of the people, protecting their God-given rights. They turned everything upside down.

Now this particular tremendous development in civil government not only is at the beginning of our Declaration and U.S. Constitution; it is also something that, to them, was fairly logical, because they had done the exact same thing when they started their little New Testament Church in Scrooby, England. A group of free people, under God, covenanted together to create a church government. They merely took their church government concept and moved it over into the area of civil government, and in this regard displaced the whole concept of divine right of kings and, in a sense, in 1620, in November, when this was signed by the Pilgrims on the *Mayflower*, they were putting the powder keg under the throne of King George that, 170 years later, would reject the divine right of kings in the American War of Independence.

So we have already, before they've hardly had a chance to get dried off from their trip, they have already established a completely new idea for the foundation of the land, but this great adventure story just has barely begun.

Here we have an old lithograph, a picture that was done of the Pilgrims in the great room of the *Mayflower*, signing this *Mayflower Compact*. We do not have a copy of the original *Mayflower Compact*. It's been lost. It was probably lost back about 180 years later during the War of Independence. But Governor Bradford—he was not yet Governor, he was just Bradford, who was part of this great expedition—in his chronicles wrote a lot in the history of Plymouth Plantation, a lot about the story of these Pilgrims, and he has a copy so we have these words that come down to us from Bradford. Here is a picture, again, of them sitting with this *Mayflower Compact*.

Now they had a plan, and part of that plan included a prefabricated, small-size boat that would hold maybe about 30 people—30 at the most. It was called a shallop, a shallow-drafted vessel, and it had been taken apart and left in pieces in the hold. It was to be refabricated when they got to this country.

Well, the storms had beaten on the *Mayflower* so much that a lot of these pieces were damaged, and they had to do some work so it took them some time to assemble this shallop and get it so it was seaworthy. When they had done that, they left the *Mayflower* in Provincetown Harbor; and a group of them went in the shallop around the inside of Cape Cod. Again, Cape Cod is like a hook. The *Mayflower* is anchored out here in Provincetown. And they head around the inside of Cape Cod.

Again, now we're starting to get into December, when the weather is really cold, late November and December, and the spray off the waves that are hitting the shallop is freezing to their clothes and they're really cold. For a while there, they got on around the inside of the cape. They made their first landing at Eastham, which is over about here on Cape Cod, and spent the night. They pulled some different trees and things together to make a little bit of a shelter for themselves, and all night long they heard the howling and yelling of the Indians. Those were the Nauset Indians. They had an attitude problem—and for good reason. There had been some dishonest sea captains that had shanghaied warriors and sold them into slavery.

So the Nausets had a bad attitude about white men and ships. So early, just before sunrise, they attacked and sent arrows all through the different coats that were hanging up, and yelling and screaming. In the meantime, these Pilgrims had managed to get a couple of their gunpowder firing—they were basically blunderbuss kinds of weapons—and fired those, and nobody got hit. The Indians were bad shots with the arrows because, fortunately, no one was hit of the Pilgrims.

Eventually, after sort of a confrontation, the Nausets were scared off. And the Pilgrims, at that point, being well woken up, got back in their shallop and headed back around the inside of Cape Cod. But as they were coming around, the weather turned to the worse. It started to snow heavily, and they were trying to find the entrance to what we would call Barnstable Harbor. That, of course, is not the way it's said up on Cape Cod. It's Barnstable Harbor. They were looking for Barnstable.

They were out in the surf, with the snow going hard, very cold, water freezing all over them, trying to find the entrance to the harbor. Their pilot thought they saw it. They pulled in toward the shore, only to see that it was just waves breaking on the shallow sands of Cape Cod. That, of course, would have been big problems for the shallop.

There was a seaman among them by the name of Clark, and he grabbed a

couple of steering oars and swung the shallop between a couple of waves around, pointing the bow out to the ocean, and he said, If ye be men, pull for your lives. So everybody dug in with the oars. They pulled off of the shore, got out where it was deep, where the waves weren't breaking so badly, and there they were at night, with the snow coming down, wind howling, ice freezing all over them, in Cape Cod Bay.

Well, as it turned out, before too long they found that they had managed to get around into the shelter in the lee of some land, which turned out to be an island. They called it Clarks Island. The next morning, they woke up. They were cold and wet and everything, and observed Sunday on Clarks Island, and then immediately started doing some exploration and they found one wonderful thing after the next. They found that they were in a natural harbor that was deep enough for the *Mayflower* to be able to come around from Provincetown, come around over here to Plymouth. And so it had deep water in the harbor.

There was land, fantastic land that had been cleared, that didn't have a lot of trees on it, which of course is a big problem if you're trying to farm, to get all the trees off the land. This land had been cleared and there was beautiful fresh water coming down from several streams from springs on the hill, with a hill behind, which was defensible. You could put a fort on it and try to protect yourself some.

So you had a place for the *Mayflower* to anchor, a fort on the hill, beautiful fresh water, cleared land, and no sign of anybody there except for a bunch of human bones and skeletons that remained and some tattered pieces of fabric and all and some poles, various things like that. A very curious kind of situation, but they didn't see anyone, and there were no Indians to give them a hard time. And so they came as it was, in December, to Plymouth Harbor.

Now when they got to Plymouth, they started in about Christmastime and started to build some houses and things which, of course, was slow work. And they had to wade through the water to get off and on, back and forth from the *Mayflower*. They started to get sick, partly because they didn't have very good food. Probably some of it was scurvy and maybe their bodies were just weakened by the tremendous difficulties of the crossing from the ocean. It was not uncommon when people first came across the ocean for a number of people to die—not so much dying on the trip, but when they got over, partly because of food, nutrition, and various types of sicknesses.

So as December rolled along, they had, of their 102, we had six people die. And then in January, another eight people died. Of course, it's cold and they're trying to build the buildings. At one time, they had one of the buildings built, they had people with blankets that were going to sleep in the

building, and all of a sudden somebody yells, Fire, and the whole grass roof of the building was on fire. Inside the building they had open barrels of gunpowder and the sparks are starting to come down from the ceiling that's on fire. And they grabbed the gunpowder, ran out into the night, and didn't escape with too much of their blankets or clothing; but, fortunately, no one was blown up or killed. So it was a very difficult time.

By the time in January, there were eight that died. February, 17 people died, sometimes as much as three or four people in a day. And in March another 13 died. So now you're starting with about 102 Pilgrims and you've gotten, in total, about 47 had died. When you take a look at that, you must be thinking a little bit in your own mind, Look, John Robinson, our pastor, had a beautiful vision for what we're going to accomplish here, and we thought God wanted us to come to this new land, but now look, almost half of us have died. This is kind of discouraging. We didn't complain when we were cast about inside the great room of the *Mayflower* as we were tossed in the oceans. Yet, now half of us have died.

If you take a look down the list, you find that of the daughters—and there were seven daughters—none of them died. Of the little boys, there were 13 little boys. Three of them died. Well, the reason the children didn't die so much is the mothers had been sacrificing. Of the 18 mothers, 13 of them died. And in the middle of the night, so that the Indians wouldn't think that the Pilgrims were weak, in the middle of the night sometimes they would take their dead and drag them out across the frozen ground and try to scrape out with their hands a shallow grave of rocks and leaves and things to cover up their dead and the dead bodies. And so it was a very, very grim time.

When you think about the story of the Pilgrims, it's a great story in terms of adventure, in terms of vision, but also in terms of the terrible suffering that these people underwent here, not only in coming across the ocean, but having almost half of them die in these first 4 months. It just seemed like death had them in its grip until about mid-March, when they made their first sort of face-to-face, if you will, encounter with an Indian.

It was, again, just like everything to the Pilgrims, it's bigger than life. You picture here it is, mid-March, and somebody yells from the wall, Indian coming. Well, you must have got that wrong. You mean Indians? No, Indian coming. You look out and here, coming right up to the blockhouse is this tall, stately dignified Indian, nothing on but his loin cloth. He walks right into the blockhouse and right up to the leader and says, Welcome. And they're thinking, How did this guy learn to speak English?

They're kind of taken aback. Welcome, they said. His next words were,

Do you have any beer? That was kind of surprising to them, too, as well. They said, Where did this guy find about how to speak English and whether they had beer or not?

Well, it turned out they were out of beer, but they did have some brandy. So he sat down and helped himself to the brandy and to the roast duck and had a very nice large meal. They kept asking him questions about the local Indians and he didn't say a word until he'd had a nice, big square meal. Then, later on they find out who the Indian was. His name was Samoset. Samoset was a sachem, or a chief, of the Algonquians up in Maine. It seems that he had the concept of going from Maine down south in the wintertime, and he had bummed a ride from an English sea captain down the coast. He had learned to speak English and had stopped to spend the winter with Massasoit down in Massachusetts. So he would have gone from Maine to Massachusetts. And when he heard about the Pilgrims, he decided to go pay them a visit.

So their first contact was actually an Indian from Maine, Samoset, a great man; and he told them that the Indian chieftain in the area was named Massasoit. He was a great chieftain and he ruled over quite a number of the Indians, but the main tribe was 50 miles to the southeast, some considerable distance away.

They asked him about whose land they were on, and he said, Well, this land used to belong to the Patuxets, a very warlike tribe that had been completely destroyed in a plague. And that was several years before. So the land that they found didn't belong to anybody and the other Indians thought it was cursed so they would have nothing to do with that particular place.

So they found, by God's providence, perhaps the one or only area on the eastern seaboard where they had cleared land, beautiful water, a good place for defense, and nobody claimed the land.

□ 1915

So that's what they had found, almost by God's providence, of course. Well, before too long, it was about a week later, other Indians arrived—not just Samoset, but Massasoit came with the other warriors. Massasoit was of the Wampanoag Tribe. But there was somebody who had attached himself, aside from Samoset, to Massasoit, and that was an Indian by the name of Tisquantum.

Tisquantum had an incredibly interesting story. Tisquantum was the last remaining Indian of the Patuxets. He had taken a trip with the English some years before over to England, spent 10 years, learned to speak English flawlessly, developed a taste for English food and English customs and all, and then got a ride back across the ocean to come back to the Patuxets.

Later, however, he was shanghaied, sold into slavery over in the Spain area, was bought free by some monks

there, traveled back to England and made a trip again back to his Patuxet Village in Plymouth. But when he arrived, he discovered that his village was gone. There was no one there. The places that he had learned to swim and play, the trees he had climbed in, the forests he had walked in were there, but his tribe was all gone, everyone dead.

And heartbroken, he went and hiked for miles over to Massasoit and attached himself for a while to the Wampanoags. But later in his sorrow, he just kind of moved off and lived by himself. When he got word that there was a little band of English settlers that were hard-pressed, he figured out a new reason for living, and he decided to come and visit with the Pilgrims.

Tisquantum became a great friend to the Indians, teaching them all kinds of practical things. One of the things I am certain the young ladies would like to know about was, they didn't have much food, and he taught them how to take their moccasins off and to walk in the mud of the creeks and to find eels with their toes and to trap the eels and bring them up, fry them up and eat them. The eels were apparently good eating.

He also taught the English settlers about beaver pelts, which were very sought after. They became a mainstay of trade. The trade worked between corn that was traded to the Indians for beaver pelts, and beaver pelts were sent back to England and Europe and used for making hats. You just weren't cool if you didn't have a beaver pelt hat when you were back in England. So they got a very good price for the beavers, and there were a lot of beavers still in the New England area at that time.

By April 21, you have perhaps one of the great tests of the indomitable will of the Pilgrim people. Captain Jones of the *Mayflower* has lost almost half his crew to the same sicknesses and diseases, and he had agreed to stay just to try to give them a little bit of a headstart on their new home. But he went to the remaining 52 Pilgrims, and he said, You know, things aren't going so well. I recommend that you come back to England on the *Mayflower* with me. So it was that they had to make a decision. Were they going to stay on with the vision that Robinson had given them to plan new things, that they had felt God was calling them to this great adventure? Or were they going to give up after half of them died, almost, and go back to England?

So it was that Jones and the sailors with him departed in the long boat for the *Mayflower*. They heard the sound of the old anchor cable being wound in and the boatswain giving the commands, the yardarms swinging into place, the bowsprit pointing out to sea, the sails filling and being trimmed. The *Mayflower*, first large and then small, disappears over the horizon as a speck. Nothing but the gray sky and the wind blowing through the pine

trees behind them. And there are 52 brave Pilgrims with still this dream that God's put in their heart to build something unlike anything they'd ever seen before, something based on ideas that they took from the Bible.

Well, as this summer started and the spring went on, things got a little more cheery. In May, because of the deaths in some of the families, they had their first wedding between Mr. Winslow and Mrs. White. She had lost her husband. He had lost his wife, so they had a nice occasion for a wedding. In October 1621, they decided to celebrate a day of Thanksgiving. This is a beautiful picture of this day of Thanksgiving. It didn't work quite the way they planned. The plan was to invite Massasoit and a few of his chiefs to join them in the celebration of Thanksgiving. What actually happened was Massasoit came with 90 braves, and when the poor little 52 Pilgrims—those were just women and kids, some of them, too—when they saw 90 braves, they go, Oh, my goodness, how are we going to feed this Army?

But fortunately, Massasoit had had some of his hunters hunt for deer and turkey, and they brought a lot of food with them. So they celebrated a day of Thanksgiving. In the process of doing Thanksgiving, the young braves and the young men of the colony took part in shooting contests with rifles and with bows and arrows. They did wrestling and foot races and leg wrestling, all kinds of activities. In the meantime, the Pilgrims were taught about some new delicacies. They took the ground corn and mixed it with the maple syrup—which perhaps even today people put a little maple syrup on their cornbread—and found that that made a pretty good meal.

They also took some of their precious flour and worked it with the berries and wild fruit of the area and made pies and other kinds of things as well as the turkey and venison and all that they had.

It seems that Massasoit liked a good party, and he had his 90 braves. They were having a good time. So they decided to stay for 3 extra days. So Thanksgiving was quite a celebration and treat. It wasn't too long after the first Thanksgiving that another ship arrived, and that ship dropped off quite a number of passengers. I think 30 or 40 as I recall. The problem was, they didn't have any food or supplies. So that second winter was also a very, very difficult one for them. They didn't have a lot of deaths, but people didn't have a whole lot to eat either.

After that, the colony started growing. Of course Tisquantum, or Squanto, had taught them about planting corn. That was the main thing that they needed was corn. He taught them how to plant corn, how to clear land for it, and how to put a couple of fish by each ear of corn to help it grow. They had a problem, and that was because the loan sharks or the merchant adventurers or whatever you want to call them from

England, the people who financed the expedition, had insisted that the charter included that they would live socialistically. That was that there would just be one cornfield, and everybody had to work in the cornfield. Everything that was grown belonged to everybody. The women were supposed to wash the clothes of everybody else.

And this was something that Governor Bradford—by this time, he was Governor. I should have mentioned before that Governor Carver had been Governor, but he had not been there for more than a few months when he had some type of either a stroke or something wrong with his brain. He just passed out, never regained consciousness and died several days later. He was replaced and voted in by Governor Bradford, who was the one who has given us in his wonderful diary a lot of the stories of the Pilgrims.

Governor Bradford knew that socialism was un-Biblical. He knew it was a bad idea. It wasn't going to work. Eventually they were forced to throw it out because they're going to starve to death if they kept working, trying to make socialism work. So these are words from Governor Bradford's diary. After much debate of things, the Governor, with the advice of the chiefest among them, gave way that they should set corn to every man to his own particular, and in that regard, trust to themselves.

In other words, instead of having a communal cornfield, everybody had a piece of land they could grow their own corn on. This had very good success, for it made all hands very industrious. Governor Bradford then continues. He said, "The experience that was had in this common course and condition, tried sundry years and that amongst godly and sober men, may well evince the vanity of that conceit of Plato's and other ancients"—these are the people, Plato and the other ancients, the ones advocating socialism—"that the taking away of property and bringing in community (or communism) into a commonwealth would make them happy and flourishing; as if they were wiser than God."

Governor Bradford had studied his Bible, as he had been instructed by their Pastor Robinson, and realized that socialism was un-Biblical. It was a form of theft, and it was not a good system for this community. It was found to breed much confusion and discontent and retard much employment that would have been to their benefit and comfort. It went on to say that people who, before, they had to almost whip them to get them into going to the cornfield, now went willingly and happily forward to grow the corn. The corn, again, was traded for the beaver skins and all.

So you have the beginning of the colony. It wasn't until about 8 years later that Governor Bradford wrote that they had a chance to almost catch their breath and taste the sweetness of the land. It was scratching. Every day

it wasn't clear what the meals were going to be. It was a very, very difficult time. But through this very difficult and trying time, this group of people came together on a vision to build a new civilization. So what was it now if we start to add all these things up? What was it that the Pilgrims gave us?

Well, first it was the first of the northern colonies up in Massachusetts. Second of all, they gave us the Mayflower Compact which was America's first constitution and based on the same principles that would later become the Declaration of Independence, the U.S. Constitution, and other State constitutions as well. They did separate their church and civil governments. They never thought that there was any idea of separating God from any government. If you take a look at Bradford's writing—he was the Governor. He is declaring a Christian day of Thanksgiving to give thanks to God and encouraged people in trying to run a Christian civil government.

But he also had Brewster, who ran the church, a different person, and the church had a different function than the civil government. So they separated church and civil governments, never thinking to take God out of any government. They also had a vision for a Christian civilization. And when you take a look at the things they gave us, first of all, the idea of the written constitution, a group of free people under God, covenanting together—that was quite a development. That was the equivalent of Einstein to the science of civil government.

But they also separated church and State. We take that for granted today as well, but when you think about the Muslim countries, they don't tend to separate their civil from their church governments. This was a very important technology for America, to bring a lot of peace and harmony to America by this idea of separating civil and church governments.

Then there was the rejection of socialism. Governor Bradford knew his Bible well enough to know that socialism was in violation of God's law. God's law says, "Thou shalt not steal." It allows for the ownership of private property, and it never gives the government the right to take something that belongs rightfully to one person and redistribute it to someone else. Governor Bradford understood that far better than the pastors of our churches in America do today. They rejected socialism.

And of course they gave us this wonderful tradition of Thanksgiving. You perhaps may be wondering. You're saying, My goodness, Congressman AKIN. You are making a long story of getting around to Thanksgiving. Well, that was a wonderful Thanksgiving, tremendous food, 3 days of celebration and giving thanks to God. Thanksgiving became a very popular holiday among different colonies up and down the seaboard. But the first national day of Thanksgiving

was declared in 1789 by George Washington to thank God for the fact that the new U.S. Constitution had just been ratified.

So the ratification of the Constitution was the event for the first national day of Thanksgiving. And later on, under Abraham Lincoln, he declared in the middle of the Civil War—in 1863, he declared that there should be a yearly national day of Thanksgiving. There was some moving around of when the date would be, and finally was settled in November on the fourth Thursday. So we see that the Pilgrims gave us this beautiful celebration of Thanksgiving. But so, so, so much more, particularly the idea of our Constitution, the separation of civil and church governments, the rejection of socialism, and particularly the vision for civilization, so much different than where they had come from.

Quite a work of accomplishment. Were the Pilgrims proud of what they did? Actually they had a very hard time. The contracts that they were part of—for the next 25 years, they were paying way, way more than what was fair. The merchant loan sharks in London charged them a tremendous amount of money. In fact, they paid 20,000 pounds after having borrowed 1,800. So it was more than a 10 times ratio. Sometimes interest rates at 30 and 40 percent. So they were really taken advantage of.

□ 1930

As they were older and the puritan culture had come in and settled Boston, the seaboard was getting more and more ships coming across, they might have wondered did we really accomplish so much.

But yet, Governor Bradford, looking back, must have seen into the future when he wrote, "Thus out of small beginnings greater things have grown by his hand, who made all things of nothing, and gives being to all things that are, and as one small candle may light a thousand, so the light kindled here has shone to many. Yea, in a sense to our whole nation. Let the glorious name of Jehovah have all the praise."

And so it was that though they didn't feel very important, this little, small band of water-tossed saints of God, men, women and children, daring to come across this vast ocean, landing on the stern and rocky shoreline of Massachusetts in wintertime, carving out an existence, barely snatched from starvation by Tisquantum, always looking to God, were able to carve out a civilization which laid the foundations for a Nation yet to come.

And so we have the great adventure story, a great adventure story in terms of the sacrifice and the vision that is involved, and particularly the trajectory of the great ideas that they established, were to be the foundation and the pinning for our Nation.

So as we celebrate Thanksgiving, my American friends, we have a lot to be thankful for, not just for some good

food and turkey, not just to remember the terrible sacrifices of those who have come before, but also to remember how it was that as they used their Bibles, they built a civilization unlike anything the world had ever seen before.

God bless you all. Enjoy a fantastic Thanksgiving.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CARTER (at the request of Mr. BOEHNER) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCGOVERN) to revise and extend their remarks and include extraneous material:)

Mr. ELLSWORTH, for 5 minutes, today.
Ms. WATERS, for 5 minutes, today.
Mr. MCGOVERN, for 5 minutes, today.
Mr. COSTA, for 5 minutes, today.
Mr. LUJÁN, for 5 minutes, today.
Mr. HEINRICH, for 5 minutes, today.
Mr. TEAGUE, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. JOHNSON of Georgia, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. SPRATT, for 5 minutes, today
(The following Members (at the request of Mr. BROUN of Georgia) to revise and extend their remarks and include extraneous material:)

Mr. FRANKS of Arizona, for 5 minutes, today.
Ms. ROS-LEHTINEN, for 5 minutes, today.
Mr. SCALISE, for 5 minutes, today.
Mr. CONAWAY, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1963. An act to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes, the Committee on Veterans' Affairs.

ADJOURNMENT

Mr. AKIN. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 33 minutes p.m.), pursuant to the previous order of the House of today, the House stands adjourned until 3 p.m. on Monday, November 23, 2009, unless it sooner has received a message from the Senate transmitting its adoption of House

Concurrent Resolution 214, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the first quarter, second quarter, and third quarter of 2009 pursuant to Public Law 95-384 are as follows:

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jean Schmidt	2/16	2/18	Mexico		989.50		(³)				989.50
	2/18	2/19	Nicaragua		357.73		(³)				357.73
	2/19	2/20	Jamaica		775.68		(³)				775.68
Committee total					2,122.91						2,122.91

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. JAMES L. OBERSTAR, Oct. 30, 2009.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Sander Levin	4/12	4/17	Colombia		1,534.00		4,292.79		7,027.00		12,853.79
	4/17	4/19	Trinidad and Tobago		1,338.58				4,132.59		5,471.17
	4/19	4/21	Panama		192.00				2,058.21		2,250.21
Hon. Kevin Brady	4/17	4/20	Trinidad and Tobago		2,089.17		1,233.01				3,322.18
Alexander Perkins	4/12	4/17	Colombia		1,534.00		3,399.89				4,933.89
	4/17	4/20	Trinidad and Tobago		2,506.07						2,506.07
Jason Kearns	4/17	4/20	Trinidad and Tobago		2,641.89		1,816.51				4,458.40
Angela Ellard	4/16	4/20	Trinidad and Tobago		2,552.00		1,831.51				4,383.51
Jennifer McCadney	4/19	4/22	Panama		288.00		2,163.70				2,451.70
Committee total					14,675.71		14,737.41		13,271.80		42,630.92

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES B. RANGEL, Chairman, Nov. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Collin C. Peterson	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Hon. David Scott	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Hon. Steven King	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Hon. Leonard Boswell	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Maj. Committee Staff—Cheryl E. Slayton	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Maj. Committee Staff—E. Chandler Goule	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Min. Committee Staff—John J. Goldberg	9/19	9/21	Denmark		4,430.00		7,061.00				7,491.00
Hon. Earl Pomeroy	8/27	8/28	Mali		150.00		(³)				150.00
	8/28	8/30	Djibouti		350.00		(³)				350.00
	8/30	8/31	Kabul		76.00		(³)				76.00
	8/31	9/2	Kenya		336.00		(³)				336.00
	9/2	9/3	Morocco		371.88		(³)				371.88
Committee total					4,293.88		79,427.00				53,720.88

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

⁴ Does not include hotel costs—N/A from State Dept.

HON. COLLIN C. PETERSON, Chairman, Nov. 3, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Adam Schiff	6/27	6/30	Jordan		1,021.18		(³)		(³)		1,021.18
	6/30	7/1	Algiers		531.00		(³)		(³)		531.00
	7/1	7/3	Tunisia		501.74		(³)		(³)		501.74
Misc. embassy costs							(³)		1,570.44		1,570.44
Local ground transportation							573.18		(³)		573.18
Hon. Steve Israel	6/27	6/30	Jordan		1,021.18		(³)		(³)		1,021.18
	6/30	7/1	Algiers		531.00		(³)		(³)		531.00
	7/1	7/3	Tunisia		501.74		(³)		(³)		501.74
Misc. embassy costs							(³)		1,570.44		1,570.44
Local ground transportation							573.18		(³)		573.18
Hon. John Blazey	6/27	6/30	Jordan		1,021.18		(³)		(³)		1,021.18
	6/30	7/1	Algiers		531.00		(³)		(³)		531.00

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Misc. embassy costs	7/1	7/3	Tunisia		501.74		(³)		(³)		501.74
Local ground transportation							573.18		1,570.44		1,570.44
Shalandia Young	6/27	6/30	Jordan		1,021.18		(³)		(³)		1,021.18
	6/30	7/1	Algiers		531.00		(³)		(³)		531.00
	7/1	7/3	Tunisia		501.74		(³)		(³)		501.74
Misc. embassy costs									1,570.44		1,570.44
Local ground transportation							573.18				573.18
Clelia Alvarado	6/27	6/30	Jordan		1,021.18		(³)		(³)		1,021.18
	6/30	7/1	Algiers		531.00		(³)		(³)		531.00
	7/1	7/3	Tunisia		501.74		(³)		(³)		501.74
Misc. embassy costs									1,570.44		1,570.44
Local ground transportation							573.18				573.18
Elizabeth C. Dawson	6/28	6/30	France		1,418.00				1,418.00		1,418.00
	6/30	7/3	Belgium		1,224.00				1,224.00		1,224.00
Commercial airfare							7,367.48				7,367.48
Hon. David E. Price ⁴	8/1	8/3	Canada		704.29		(³)				704.29
Hon. Harold Rogers ⁴	8/1	8/3	Canada		704.29		(³)				704.29
Hon. Ciro Rodriguez ⁴	8/1	8/3	Canada		704.29		(³)				704.29
Hon. John Carter ⁴	8/1	8/3	Canada		704.29		(³)				704.29
Stephanie Gupta ⁴	8/1	8/3	Canada		704.29		(³)				704.29
Ben Nicholson ⁴	8/1	8/3	Canada		704.29		(³)				704.29
Kristi Mallard	8/16	8/17	Norway		539.23						539.23
	8/17	8/20	Germany		1,080.00						1,080.00
	8/20	8/24	Hungary		1,062.17						1,062.17
	8/24	8/26	Italy		1,270.00						1,270.00
Commercial airfare							9,338.44				9,338.44
Misc. transportation							62.00				62.00
BG Wright	8/16	8/17	Norway		539.23						539.23
	8/17	8/20	Germany		1,080.00						1,080.00
	8/20	8/24	Hungary		1,062.17			(³)			1,062.17
	8/24	8/26	Italy		1,270.00						1,270.00
Commercial airfare							9,338.44				9,338.44
Misc. transportation							120.00				120.00
BG Wright	8/4	8/5	Kuwait		494.08		(³)				494.08
	8/5	8/7	United Arab Emirates		827.42		(³)				827.42
	8/7	8/9	Germany		722.56		(³)				722.56
Hon. Sanford Bishop	8/4	8/5	Kuwait		494.08		(³)				494.08
	8/5	8/7	United Arab Emirates		827.42		(³)				827.42
	8/7	8/9	Germany		722.56		(³)				722.56
Hon. Carolyn Kilpatrick	8/4	8/5	Kuwait		494.08		(³)				494.08
	8/5	8/7	United Arab Emirates		827.42		(³)				827.42
	8/7	8/9	Germany		722.56		(³)				722.56
Beverly Aimaro Pheto	8/4	8/5	Kuwait		494.08		(³)				494.08
	8/5	8/7	United Arab Emirates		827.42		(³)				827.42
Commercial airfare											

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Misc. embassy costs									335.17		335.17
Steve Marchese	8/29	8/31	Pakistan		180.00						180.00
	8/31	9/4	Ukraine		1,710.64						1,710.64
Misc. embassy costs									335.17		335.17
Commercial airfare							11,490.90				11,490.90
Paul Juola	8/12	8/13	United Arab Emirates		463.00						463.00
	8/13	8/15	Afghanistan		162.00						162.00
	8/15	8/16	United Arab Emirates		463.00		(³)				463.00
	8/16	8/17	Italy		329.00		(³)				329.00
Commercial airfare							10,391.00				10,391.00
Misc. transportation costs							70.00				70.00
Linda Pagelsen	8/12	8/13	United Arab Emirates		463.00		(³)				463.00
	8/13	8/15	Afghanistan		162.00		(³)				162.00
	8/15	8/16	United Arab Emirates		463.00		(³)				463.00
	8/16	8/17	Italy		329.00		(³)				329.00
Commercial airfare							10,391.00				10,391.00
Misc. transportation costs							128.50				128.50
Christopher White	8/12	8/13	United Arab Emirates		463.00		(³)				463.00
	8/13	8/15	Afghanistan		162.00		(³)				162.00
	8/15	8/16	United Arab Emirates		463.00		(³)				463.00
	8/16	8/17	Italy		329.00		(³)				329.00
Commercial airfare							10,391.00				10,391.00
Misc. transportation costs							70.00				70.00
Hon. Jack Kingston	8/27	8/30	Tunisia		725.75		(³)				725.75
	8/30	9/1	Rwanda		750.95		(³)				750.95
	9/2	9/2	Zimbabwe		142.00		(³)				142.00
	9/3	9/4	Senegal		561.96		(³)				561.96
Hon. Jack Kingston	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
Hon. Betty McCollum	9/18	9/21	Guatemala		686.28		(³)				686.28
Commercial airfare							1,657.70				1,657.70
Local transp.							1,340.88				1,340.88
Misc. embassy costs									2,080.16		2,080.16
John Blazey	9/26	9/28	Chile		1,095.00						1,095.00
Commercial airfare							7,860.70				7,860.70
Misc. transportation costs									36.00		36.00
Committee total					75,848.97		187,330.78		17,576.48		280,756.23

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.⁴ Part foreign, part domestic travel.

HON. DAVID R. OBEY, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to Jordan, Tunisia, Algeria With CODEL Schiff, June 26–July 3, 2009:											
Hon. Solomon Ortiz	6/27	6/30	Jordan		502.00						502.00
	6/30	7/1	Algeria		98.00						98.00
	7/1	7/3	Tunisia		288.00						288.00
Visit to Ireland, Bahrain, Afghanistan, Germany, June 27–July 3, 2009:											
Hon. Brad Ellsworth	6/28	6/29	Ireland		628.69						628.69
	6/30	7/1	Bahrain								
	7/1	7/2	Afghanistan		28.00						28.00
	7/2	7/3	Germany		298.00						298.00
Hon. Dave Loebsack	6/28	6/29	Ireland		628.96						628.96
	6/30	7/1	Bahrain								
	7/1	7/2	Afghanistan		28.00						28.00
	7/2	7/3	Germany		298.00						298.00
Joseph Hicken	6/28	6/29	Ireland		628.96						628.96
	6/30	7/1	Bahrain								
	7/1	7/2	Afghanistan		28.00						28.00
	7/2	7/3	Germany		298.00						298.00
Lara Battles	6/28	6/29	Ireland		628.96						628.96
	6/30	7/1	Bahrain								
	7/1	7/2	Afghanistan		28.00						28.00
	7/2	7/3	Germany		298.00						298.00
John Wason	6/28	6/29	Ireland		628.96						628.96
	6/30	7/1	Bahrain								
	7/1	7/2	Afghanistan		28.00						28.00
	7/2	7/3	Germany		298.00						298.00
Visit to Qatar, Bahrain, June 28–July 3, 2009:											
Erin C. Conaton	6/29	7/1	Bahrain		699.12						699.12
	7/1	7/3	Qatar		681.32						681.32
Commercial airfare							9,085.32				9,085.32
John Phillip MacNaughton	6/29	7/1	Bahrain		699.12						699.12
	7/1	7/3	Qatar		681.32						681.32
Commercial airfare							9,085.32				9,085.32
Visit to Bosnia, Herzegovina With CODEL Carnahan, July 10–13, 2009:											
Hon. Michael Turner	7/11	7/13	Bosnia-Herzegovina		230.57						230.57
Visit to Afghanistan, Pakistan, United Arab Emirates, July 12–17, 2009:											
Michael Casey	7/13	7/14	United Arab Emirates								
	7/14	7/15	Afghanistan								
	7/15	7/17	Pakistan		80.00						80.00
Commercial airfare							10,729.04				10,729.04
Paul Arcangeli	7/13	7/14	United Arab Emirates								
	7/14	7/15	Afghanistan								
	7/15	7/17	Pakistan		80.00						80.00
Commercial airfare							10,729.04				10,729.04
Jenness Simler	7/13	7/14	United Arab Emirates								

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial airfare	7/14	7/15	Afghanistan		80.00						80.00
Visit to Cuba, July 20, 2009:			Pakistan				10,729.04				10,729.04
Hon. Howard P. "Buck" McKeon	7/20	7/20	Cuba								
Hon. Rick Larsen	7/20	7/20	Cuba								
Hon. Bobby Bright	7/20	7/20	Cuba								
Hon. Randy Forbes	7/20	7/20	Cuba								
Andrew Hunter	7/20	7/20	Cuba								
Robert L. Simmons	7/20	7/20	Cuba								
William Spencer Johnson	7/20	7/20	Cuba								
Visit to Kuwait, Iraq, Israel With CODEL Lynch, July 24–28, 2009:											
Hon. Joe Courtney	7/25	7/25	Kuwait								
	7/25	7/26	Iraq								
	7/26	7/26	Kuwait								
	7/27	7/27	Israel		714.00						714.00
Hon. Todd Platts	7/25	7/25	Kuwait								
	7/25	7/26	Iraq								
	7/26	7/26	Kuwait								
	7/27	7/27	Israel		579.00						579.00
Visit to Kuwait, Iraq, Afghanistan, Pakistan, Qatar, Turkey, Germany, August 3–12, 2009:											
Hon. Patrick Murphy	8/4	8/5	Turkey		122.00						122.00
	8/5	8/7	Afghanistan		26.00						26.00
	8/7	8/8	Kuwait		109.00						109.00
	8/8	8/9	Iraq		11.00						11.00
	8/9	8/10	Qatar		114.00						114.00
	8/10	8/11	Germany		143.00						143.00
Hon. Howard P. "Buck" McKeon	8/4	8/5	Turkey		122.00						122.00
	8/5	8/7	Afghanistan		26.00						26.00
	8/7	8/9	Kuwait		109.00						109.00
	8/8	8/9	Iraq		11.00						11.00
	8/9	8/10	Qatar		114.00						114.00
	8/10	8/11	Germany		143.00						143.00
Hon. Joe Wilson	8/4	8/5	Turkey		122.00						122.00
	8/5	8/7	Afghanistan		26.00						26.00
	8/7	8/8	Kuwait		109.00						109.00
	8/8	8/9	Iraq		11.00						11.00
	8/9	8/10	Qatar		114.00						114.00
	8/10	8/11	Germany		143.00						143.00
Hon. Bill Shuster	8/4	8/5	Turkey		122.00						122.00
	8/5	8/7	Afghanistan		26.00						26.00
	8/7	8/8	Kuwait		109.00						109.00
	8/8	8/9	Iraq		11.00						11.00
	8/9	8/10	Qatar		114.00						114.00
	8/10	8/11	Germany		143.00						143.00
Jack Shuler	8/4	8/5	Turkey		122.00						122.00
	8/5	8/7	Afghanistan		26.00						26.00
	8/7	8/8	Kuwait		109.00						109.00
	8/8	8/9	Iraq		11.00						11.00
	8/9	8/10	Qatar		114.00						114.00
	8/10	8/11	Germany		143.00						143.00
Thomas Hawley	8/4	8/5	Turkey		122.00						122.00
	8/5	8/7	Afghanistan		26.00						26.00
	8/7	8/8	Kuwait		109.00						109.00
	8/8	8/9	Iraq		11.00						11.00
	8/9	8/10	Qatar		114.00						114.00
	8/10	8/11	Germany		143.00						143.00
	8/9	9/10	Qatar					5,276.60			5,276.60
Delegation expenses	8/9	9/10	Qatar								
Visit to South Korea, August 8–14, 2009:											
Hon. Gene Taylor	8/9	8/12	South Korea		378.00						378.00
Commercial airfare			South Korea				8,320.00				8,320.00
William Ebbs	8/9	8/12	South Korea		378.00						378.00
Commercial airfare			South Korea				8,320.00				8,320.00
Jenness Simler	8/9	8/12	South Korea		378.00						378.00
Commercial airfare			South Korea				8,320.00				8,320.00
Visit to France, Luxembourg, Belgium, United Kingdom With CODEL Smith, August 8–12, 2009:											
Timothy McClees	8/9	8/12	Paris		658.00						658.00
	8/12	8/13	Luxembourg		142.00						142.00
	8/13	8/14	Belgium		173.00						173.00
	8/14	8/15	Normandy		97.00						97.00
	8/15	8/19	London		594.00						594.00
Commercial airfare							8,298.13				8,298.13
Visit to Kuwait, Iraq, Afghanistan, Bahrain, Qatar, August 23–30, 2009:											
Hon. Madeleine Z. Bordallo	8/24	8/25	Kuwait		415.93						415.93
	8/25	8/25	Iraq								
	8/25	8/27	Bahrain		792.50						792.50
	8/27	8/28	Afghanistan		26.00						26.00
Commercial airfare							9,043.69				9,043.69
Mr. John Phillip MacNaughton	8/24	8/25	Kuwait		415.93						415.93
	8/25	8/25	Iraq								
	8/25	8/27	Bahrain		792.50						792.50
	8/27	8/28	Afghanistan		26.00						26.00
Commercial Transportation							9,043.69				9,043.69
Mr. Thomas Hawley	8/24	8/25	Kuwait		415.93						415.93
	8/25	8/25	Iraq								
	8/25	8/27	Bahrain		792.50						792.50
	8/27	8/28	Afghanistan		26.00						26.00
Commercial Transportation							9,043.69				9,043.69
Delegation Expenses							290.00				290.00
Visit to Mali, Afghanistan, Kenya, Djibouti, Morocco, August 27–September 3, 2009:											
Hon. Jim Marshall	8/27	8/28	Mali		150.00						150.00
	8/28	8/30	Djibouti		350.00						350.00
	8/30	8/31	Afghanistan		76.00						76.00
	8/31	9/2	Kenya		336.00						336.00
	9/2	9/3	Morocco		371.88						371.88
Hon. Frank LoBiondo	8/27	8/28	Mali		150.00						150.00
	8/28	8/30	Djibouti		350.00						350.00
	8/30	8/31	Afghanistan		76.00						76.00
	8/31	9/2	Kenya		336.00						336.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Bill Shuster	9/2	9/3	Morocco		371.88						371.88
	8/27	8/28	Mali		150.00						150.00
	8/28	8/30	Djibouti		350.00						350.00
	8/30	8/31	Afghanistan		76.00						76.00
	8/31	9/2	Kenya		336.00						336.00
Mark Lewis	9/2	9/3	Morocco		371.88						371.88
	8/27	8/28	Mali		150.00						150.00
	8/28	8/30	Djibouti		350.00						350.00
	8/30	8/31	Afghanistan		76.00						76.00
	8/31	9/2	Kenya		336.00						336.00
	9/2	9/3	Morocco		371.88						371.88
Lynn Williams	8/27	8/28	Mali		150.00						150.00
	8/28	8/30	Djibouti		350.00						350.00
	8/30	8/31	Afghanistan		76.00						76.00
	8/31	9/2	Kenya		336.00						336.00
	9/2	9/3	Morocco		371.88						371.88
Delegation Expenses	8/27	8/28	Mali						974.46		974.46
	8/28	8/30	Djibouti						3,425.00		3,425.00
	9/2	9/3	Morocco						649.00		649.00
Visit to Afghanistan, Pakistan, September 3–8, 2009:											
Hon. Adam Smith	9/5	9/8	Pakistan		120.00						120.00
	9/6	9/6	Afghanistan								
Commercial Transportation							10,132.00				10,132.00
Hon. Gabrielle Giffords	9/5	9/8	Pakistan		120.00						120.00
	9/6	9/6	Afghanistan								
Commercial Transportation							10,132.00				10,132.00
Hon. Bobby Bright	9/5	9/8	Pakistan		120.00						120.00
	9/6	9/6	Afghanistan								
Commercial Transportation							10,132.00				10,132.00
Timothy McClees	9/5	9/8	Pakistan		120.00						120.00
	9/6	9/6	Afghanistan								
Commercial Transportation							10,132.00				10,132.00
Alexander Kugajevsky	9/5	9/8	Pakistan		120.00						120.00
	9/6	9/6	Afghanistan								
Commercial Transportation							10,132.00				10,132.00
Committee Total					26,857.67		161,696.96		10,325.06		198,879.69

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. IKE SKELTON, Chairman, Oct. 30, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Cliff Stearns	6/27	6/30	Jordan		509.00		(³)				509.00
	6/30	7/01	Algeria		148.00						148.00
	7/1	7/3	Tunisia		288.00						288.00
Mary Neumayr	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00
	8/6	8/8	China		422.00						422.00
	8/8	8/9	China		95.00						95.00
Lisa Miller	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00
	8/6	8/8	China		422.00						422.00
	8/8	8/9	China		262.99						262.99
Kevin Kohl	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00
	8/6	8/8	China		422.00						422.00
	8/8	8/9	China		262.99						262.99
Gregory Dotson	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00
	8/6	8/8	China		192.00						192.00
	8/8	8/9	China		262.99						262.99
Lorie Schmidt	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00
	8/6	8/8	China		422.00						422.00
	8/8	8/9	China		262.99						262.99
Angele B. Kwemo	8/16	8/17	Liberia		536.40						536.40
	8/17	8/19	Ghana		294.00						294.00
	8/19	8/23	South Africa		1,806.07		(³)				1,806.07
	8/23	8/24	Morocco		341.00						341.00
Timothy Robinson	8/16	8/17	Liberia		536.40						536.40
	8/17	8/19	Ghana		294.00						294.00
	8/19	8/23	South Africa		1,806.07		(³)				1,806.07
	8/23	8/24	Morocco		341.00						341.00
Ingrid Gavin-Parks	8/16	8/17	Liberia		536.40						536.40
	8/17	8/19	Ghana		294.00						294.00
	8/19	8/23	South Africa		1,806.07		(³)				1,806.07
	8/23	8/24	Morocco		341.00						341.00
Shannon Weinberg	8/16	8/17	Liberia		536.40						536.40
	8/17	8/19	Ghana		294.00						294.00
	8/19	8/23	South Africa		1,806.07		(³)				1,806.07
	8/23	8/24	Morocco		341.00						341.00
Nishith Pandya	8/16	8/17	Liberia		536.40						536.40
	8/17	8/19	Ghana		294.00						294.00
	8/19	8/23	South Africa		1,806.07		(³)				1,806.07
	8/23	8/24	Morocco		341.00						341.00
Hon. G. K. Butterfield	8/16	8/17	Liberia		536.40				3,741.31		4,277.71
	8/17	8/19	Ghana		294.00				9,904.24		10,198.24
	8/19	8/23	South Africa		1,806.07		(³)		20,378.67		22,184.74
	8/23	8/24	Morocco		341.00				2,634.00		2,975.00
Committee total					26,086.68		59,659.35		36,658.22		122,404.25

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. HENRY A. WAXMAN, Chairman, Nov. 21, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
June Beittel	8/15	8/19	Peru		1,270.70		(³)				1,270.70
	8/19	8/20	Paraguay		235.24		(³)				235.24
	8/20	8/23	Colombia		1,266.00		(³)				1,266.00
Hon. Howard L. Berman	8/17	8/19	South Korea		798.88		(³)		4,585.30		6,656.18
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)		4,061.17		6,722.43
	8/22	8/24	Hong Kong		1,055.10		(³)		4,901.06		10,067.16
Paul Berkowitz	8/12	8/17	Austria		3,070.20						3,070.20
	8/17	8/18	Iraq		0.00						0.00
	8/18	8/19	Jordan		360.97						360.97
	8/19	8/22	Israel		1,988.40						1,988.40
							\$ 9,384.14				9,384.14
Daniel Bob	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
Genell Brown	8/28	8/30	Egypt		504.00						504.00
	8/30	9/1	Tunisia		508.00						508.00
	9/1	9/3	Algeria		631.00						631.00
	9/3	9/5	Morocco		544.00						544.00
							\$ 9,739.29				9,739.29
Hon. Russ Carnahan	7/10	7/13	Bosnia		429.51		(³)		4,968.38		5,397.89
Joan Condon	8/24	8/28	Sudan		1,090.27						1,090.27
	8/28	8/29	Rwanda		220.54						220.54
	8/29	8/30	DRC		206.00						206.00
							\$ 11,500.56				11,500.56
Theodros Dagne	8/2	8/6	Kenya		2,266.04						2,266.04
	8/6	8/9	South Africa		1,180.74						1,180.74
	8/9	8/11	Angola		1,086.00						1,086.00
							\$ 13,258.55				13,258.55
Marissa Doran	8/24	8/28	Sudan		1,090.27				4,371.04		4,807.31
	8/28	8/29	Rwanda		220.54				4,407.65		628.19
	8/29	9/3	DRC		1,011.00						1,011.00
							\$ 12,291.22				12,291.22
Hon. Keith Ellison	8/5	8/8	Sudan		534.43						534.43
							\$ 6,275.40				6,275.40
Hon. Eni F.H. Faleomavaega	7/17	7/19	Samoa		416.00						416.00
	7/19	7/21	Fiji		530.00				4,217.06		747.06
							\$ 2,514.53				2,514.53
	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
	8/30	9/7	South Korea		3,458.20				4,539.22		3,997.42
					9,916.93						9,916.93
Ricardo Farraj-Ruiz	8/15	8/22	Peru		2,332.47						2,332.47
							\$ 1,647.41				1,647.41
David Fite	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
Julissa Gomez-Granger	8/15	8/22	Peru		2,352.67		(³)				2,352.67
							\$ 1,647.41				1,647.41
Dennis Halpin	8/21	8/23	Malaysia		326.00						326.00
	8/23	8/27	Thailand		760.00						760.00
	8/27	8/30	Burma		350.00						350.00
							\$ 12,167.83				12,167.83
Daniel Harsha	8/28	8/29	Rwanda		220.54						220.54
	8/29	9/3	DRC		1,011.00						1,011.00
							\$ 9,380.66				9,380.66
Hans Hogrefe	8/28	8/30	Egypt		534.00				4,211.00		745.00
	8/30	9/1	Tunisia		508.00						508.00
	9/1	9/3	Algeria		656.00						656.00
	9/3	9/5	Morocco		544.00						544.00
							\$ 9,739.29				9,739.29
Elizabeth Hoffman	8/28	8/30	Egypt		484.00						484.00
	8/30	9/1	Tunisia		488.00						488.00
	9/1	9/3	Algeria		621.00						621.00
	9/3	9/5	Morocco		524.00						524.00
							\$ 9,739.29				9,739.29
Eric Jacobstein	9/1	9/4	Guatemala		670.07				4,592.00		1,262.07
							\$ 760.70				760.70
Jonathan Katz	8/26	8/28	Turkey		698.83						698.83
							\$ 8,197.75				8,197.75
Jessica Lee	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
	8/24	8/27	Thailand		542.00						542.00
	8/27	8/30	Burma		402.00				4,462.44		864.44
							\$ 5,037.70				5,037.70
Vili Lei	8/30	9/7	South Korea		3,458.20						3,458.20
							\$ 9,916.93				9,916.93
John Lis	8/15	8/19	Peru		0.00		(³)		4,120.56		1,120.56
	8/19	8/20	Paraguay		0.00		(³)		4,692.93		692.93
	8/20	8/23	Colombia		0.00		(³)		4,562.00		562.00
Noelle Lusne	8/2	8/6	Kenya		2,266.04						2,266.04
	8/6	8/9	South Africa		1,180.74						1,180.74
	8/9	8/11	Angola		1,068.00						1,068.00
							\$ 13,248.60				13,248.60
Hon. Connie Mack	7/25	7/26	Honduras		303.00						303.00
							\$ 1,843.70				1,843.70
Alan Makovsky	8/24	8/28	Sudan		1,135.27						1,135.27
							\$ 10,943.65				10,943.65
Pearl Alice Marsh	8/3	8/12	Kenya		4,478.37						4,478.37
	8/13	8/14	Switzerland		382.42						382.42
							\$ 10,227.68				10,227.68
Mary McVeigh	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
Hon. Gregory W. Meeks	9/12	9/13	Canada		321.00						321.00

November 19, 2009

CONGRESSIONAL RECORD—HOUSE

H13347

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Margaret Mott	8/17	8/19	South Korea		798.88		⁵ 927.62				927.62
	8/19	8/20	China		291.31		(³)				798.88
	8/20	8/22	Taiwan		661.26		(³)				291.31
	8/22	8/24	Hong Kong		1,055.10		(³)				661.26
Hon. Donald M. Payne	8/4	8/6	Kenya		1,133.62		(³)				1,055.10
	8/6	8/9	South Africa		4,267.03		(³)				1,133.62
	8/9	8/11	Angola		1,656.00		(³)		⁴ 1,576.42		5,843.45
											1,656.00
Lauren Ploch	8/24	8/28	Sudan		1,090.27		⁶ 11,656.10				11,656.10
	8/28	8/29	Rwanda		220.54						1,090.27
	8/29	9/3	DRC		1,011.00						220.54
Frederick Ratliff	7/25	7/26	Honduras		303.00		⁵ 16,230.82				1,011.00
	9/1	9/4	Guatemala		670.07		⁵ 1,081.70				16,230.82
Sheri Rickert	8/5	8/12	Kenya		3,588.00		⁵ 1,150.70				303.00
	8/13	8/14	Switzerland		423.00						1,081.70
											670.07
Hon. Dana Rohrabacher	8/12	8/17	Austria		2,409.66						1,150.70
	8/17	8/18	Iraq								3,588.00
	8/18	8/19	Jordan		360.97				⁴ 491.23		423.00
	8/19	8/22	Israel		1,988.40				⁴ 5,679.04		9,766.80
							⁵ 13,483.73				2,409.66
Amanda Sloat	7/10	7/13	Bosnia		429.51		(³)				0.00
	8/17	8/19	South Korea		798.88		(³)				852.20
	8/19	8/20	China		291.31		(³)				7,677.44
	8/20	8/22	Taiwan		661.26		(³)				13,483.73
	8/22	8/24	Hong Kong		1,055.10		(³)				429.51
Hon. Diane E. Watson	8/17	8/19	South Korea		798.88		(³)				798.88
	8/19	8/20	China		291.31		(³)				291.31
	8/20	8/22	Taiwan		661.26		(³)				661.26
	8/22	8/24	Hong Kong		1,055.10		(³)				1,055.10
Robyn Wapner	7/25	7/26	Honduras		303.00						303.00
	9/1	9/4	Guatemala		670.07		⁵ 1,601.70				1,601.70
											670.07
Lynne Weil	8/18	8/20	China		399.61		⁵ 760.70				760.70
	8/20	8/22	Taiwan		350.26						399.61
	8/22	8/24	Hong Kong		774.10						350.26
							⁷ 4,118.17				774.10
	8/24	8/27	Thailand		510.00				⁴ 792.22		4,118.17
	8/27	8/30	Burma		275.00						1,302.22
Clay Wellborn	8/15	8/22	Peru		2,352.67		⁶ 7,192.00				275.00
							(³)				7,192.00
Kristin Wells	8/3	8/12	Kenya		4,478.37		⁶ 1,647.41				2,352.67
	8/13	8/14	Switzerland		382.42						1,647.41
									⁴ 1,135.00		4,478.37
Hon. Robert Wexler	8/26	8/28	Turkey		698.83		⁵ 10,984.68				1,517.42
									⁴ 109.68		10,984.68
Lisa Williams	8/30	9/7	South Korea		3,458.20		⁵ 8,197.75				808.51
											8,197.75
Shanna Winters	8/4	8/5	Bahamas		307.65		⁵ 9,916.93				3,458.20
											9,916.93
Hon. Lynn C. Woolsey	7/10	7/13	Bosnia		429.51		⁵ 774.20				307.65
Brent Woolfork	8/3	8/9	Kenya		3,101.02		(³)				774.20
	8/9	8/15	Germany		1,915.18						429.51
							⁵ 10,392.89				3,101.02
											1,915.18
											10,392.89
Committee total					127,868.51		279,346.19		44,204.40		451,419.10

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.⁴ Indicates delegation costs.⁵ Round-trip airfare.⁶ Return airfare.⁷ One-way airfare.

HON. HOWARD L. BERMAN, Chairman, Nov. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND
SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mike Quigley	7/25	7/25	Kuwait				(³)				
	7/25	7/26	Iraq								
	7/27	7/28	Israel		714.00						714.00
Scott Lindsay	7/25	7/25	Kuwait				(³)				
	7/25	7/26	Iraq								
	7/27	7/28	Israel		714.00						714.00
Bruce Fernandez	7/25	7/25	Kuwait				(³)				
	7/25	7/26	Iraq								
	7/27	7/28	Israel		714.00						714.00
Adam Fromm	7/25	7/25	Kuwait				(³)				
	7/25	7/26	Iraq								
	7/26	7/27	Israel		714.00						714.00
Hon. Stephen F. Lynch	7/25	7/25	Kuwait				(³)				
	7/25	7/26	Iraq								
	7/27	7/28	Israel		714.00				⁷ 8,847.30		8,561.30
Hon. Brian P. Bilbray	7/25	7/26	Honduras		301.00		1,947.70				2,248.70
Kristina Moore	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00
	8/6	8/8	China		422.00						422.00
	8/8	8/9	China		262.99						262.99
Michael McCarthy	8/2	8/4	China		525.98		11,931.87				12,457.85
	8/4	8/6	China		324.00						324.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Ryan Dwyer	8/6	8/8	China		422.00						422.00
	8/8	8/9	China		262.99						
	7/11	7/13	Bosnia		429.51						429.51
	8/16	8/17	Liberia		536.40		(³)				536.40
	8/17	8/19	Ghana		294.00						294.00
Hon. Wm. Lacy Clay	8/19	8/23	Angola		1,806.07						1,806.07
	8/23	8/24	South Africa		341.00						341.00
Committee total					10,347.92		25,811.44		7,847.30		44,006.66

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. EDOLPHUS TOWNS, Chairman, Oct. 30, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Shimere Williams	7/1	7/4	United Kingdom		1,242.88		⁴ 8,370.22				9,613.10
Holly Logue Prutz	7/1	7/5	United Kingdom		1,242.88		⁴ 8,370.22				9,613.10
Dahlia Sokolov	8/2	8/5	Costa Rica		(³) 702.00		41.30		56.88		800.18
	8/5	8/8	Panama		756.60						756.60
Marcy Gallo	8/2	8/5	Costa Rica		702.00		⁴ 2,046.02		56.88		2,046.02
	8/5	8/8	Panama		756.60		41.30				800.18
Bess Caughran	8/2	8/5	Costa Rica		702.00		⁴ 2,046.02		56.88		2,046.02
	8/5	8/8	Panama		756.60		41.30				800.18
Mele Williams	8/2	8/5	Costa Rica		702.00		⁴ 2,046.02		56.88		2,046.02
	8/5	8/8	Panama		756.60		41.30				800.18
Hon. David Wu	8/27	8/28	Mali		150.00		⁴ 2,046.02				2,046.02
	8/28	8/29	Djibouti		350.00		(³)		195.65		345.65
	8/28	8/31	Afghanistan		76.00		(³)		380.55		730.55
	8/31	9/2	Kenya		814.10		(³)		851.30		1,665.40
	9/2	9/3	Morocco		371.88		(³)		81.11		452.99
Committee total					10,082.14		25,089.72		1,736.13		36,907.99

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transport.⁴ Commercial airfare.⁵ One night at personal expense.

HON. BART GORDON, Chairman, Oct. 30, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Jean Schmidt	6/28	2/29	Ireland		628.69		(³)				628.69
	6/30	7/1	Bahrain				(³)				
	7/1	7/2	Afghanistan		20.00		(³)				20.00
	7/2	7/3	Germany		298.00		(³)				298.00
Hon. Eddie Bernice Johnson	8/4	8/5	Kuwait		494.08		(³)				494.08
	8/5	8/7	Dubai		827.42		(³)				827.42
	8/7	8/8	Germany		362.56		(³)				362.56
Ward McCarragher	8/8	8/9	Germany		360.00		(³)				360.00
	8/9	8/10	Spain		445.75		8,190.39				8,636.14
	8/10	8/12	Spain		886.54						886.54
	8/12	8/13	Italy		451.80						451.80
	8/13	8/14	Italy		618.02						618.02
Joyce Rose	8/14	8/15	Italy		585.55						585.55
	8/9	8/10	Spain		445.75		8,105.80				8,551.55
	8/10	8/12	Spain		886.54						886.54
	8/12	8/13	Italy		451.80						451.80
	8/13	8/14	Italy		618.02						618.02
Committee total					8,966.07		16,296.19				25,262.26

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. JAMES L. OBERSTAR, Chairman, Oct. 30, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Zachary Space	8/23	8/25	Kabul		152.00						152.00
	8/27	8/28	Mali		150.00						150.00

November 19, 2009

CONGRESSIONAL RECORD—HOUSE

H13349

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1
AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	8/28	8/29	Djibouti		350.00						350.00
	8/30	8/31	Kabul		76.00						76.00
	8/27	9/3	Kenya		336.00						336.00
	9/2	9/3	Morocco		154.00				217.88		217.88
Committee total					1,218.00				217.88		1,281.88

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB FILNER, Chairman, Oct. 29, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Alexander Perkins	7/12	7/18	Peru		468.00		2,743.00				3,211.70
William Thomas	7/13	7/18	Peru		390.00		2,743.00				3,133.70
Hon. Brian Higgins	7/25	7/25	Kuwait								
	7/25	7/26	Iraq								
	7/27	7/28	Israel		714.00						714.00
Hon. Jim McDermott	8/2	8/7	Kenya		590.00		12,023.64				12,613.64
Alexander Perkins	8/3	8/6	Kenya		354.00		10,565.85				10,919.85
	8/6	8/9	Ethiopia		516.00						516.00
Angela Ellard	8/3	8/6	Kenya		354.00		10,565.85				10,919.85
	8/6	8/9	Ethiopia		516.00						516.00
Hon. Devin Nunes	8/4	8/5	Kuwait		553.08						553.08
	8/5	8/7	United Arab Emirates		827.42						827.42
	8/7	8/9	Germany		722.56						722.56
Committee total					6,005.06		38,642.74				44,647.80

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES B. RANGEL, Chairman, Nov. 2, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND
SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Adam Smith	8/7	8/9	Europe		708.00						
	8/9	8/10	Europe		192.00						
	8/10	8/11	Europe		223.00						
	8/11	8/13	Europe		147.00						
	8/13	8/17	Europe		792.00						
Commercial airfare							1,187.37				3,249.37
Mark Young	8/7	8/9	Europe		708.00						
	8/9	8/10	Europe		192.00						
	8/10	8/11	Europe		223.00						
	8/11	8/13	Europe		147.00						
	8/13	8/17	Europe		792.00						
Commercial airfare							4,835.13				6,897.13
Robert Minehart	8/7	8/9	Europe		708.00						
	8/9	8/10	Europe		192.00						
	8/10	8/11	Europe		223.00						
	8/11	8/13	Europe		147.00						
	8/13	8/17	Europe		792.00						
Commercial airfare							4,835.13				6,897.13
Laurence Hanauer	8/8	8/10	Europe		884.00						
	8/10	8/11	Europe		521.00						
	8/12	8/13	Europe		372.00						
	8/14	8/15	Europe		392.00						
Commercial airfare							8,220.80				10,389.80
Mary Stone-Ross	8/8	8/10	Europe		884.00						
	8/10	8/11	Europe		521.00						
	8/12	8/14	Europe		372.00						
	8/14	8/15	Europe		392.00						
Commercial airfare							8,220.80				10,389.80
Kathleen Reilly	8/7	8/9	Europe		884.00						
	8/10	8/11	Europe		521.00						
	8/12	8/13	Europe		372.00						
	8/14	8/16	Europe		392.00						
Commercial airfare							8,220.80				10,389.80
Stacey Dixon	8/7	8/12	Australia		744.00						
	8/13	8/15	New Zealand		626.00						
Commercial airfare							13,243.74				14,613.74
Donald Campbell	8/7	8/12	Australia		744.00						
	8/13	8/15	Asia		626.00						
	8/16	8/19	Asia		850.00						
Commercial airfare							15,123.65				17,343.65
Frank Garcia	8/7	8/12	Australia		744.00						
	8/13	8/15	Asia		378.00						
	8/16	8/19	Asia		850.00						
Commercial airfare							15,123.65				17,095.65
George Pappas	8/7	8/12	Australia		744.00						
	8/13	8/15	New Zealand		378.00						
	8/16	8/19	Asia		850.00						
Commercial airfare							13,901.77				15,873.77
Brian Morrison	8/9	8/11	S. Asia		486.00						
	8/12	8/14	S. Asia		207.00						
	8/14	8/15	S. Asia		220.00						
Commercial airfare							11,940.63				12,853.63
Harry Hulings	8/9	8/11	S. Asia		486.00						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	8/12	8/14	S. Asia		207.00						
Commercial airfare	8/14	8/15	S. Asia		220.00						
Iram Ali	8/9	8/11	S. Asia		486.00		12,628.49				13,541.49
	8/12	8/14	S. Asia		207.00						
Commercial airfare	8/14	8/15	S. Asia		220.00						
Jamal Ware	8/9	8/11	S. Asia		486.00		14,504.69				15,417.69
	8/12	8/14	S. Asia		207.00						
Commercial airfare	8/14	8/15	S. Asia		220.00						
Hon. Peter King	8/12	8/16	Middle East		638.82		12,641.71				13,554.71
Commercial airfare							9,605.48				10,244.30
Christopher Donesa	8/12	8/16	Middle East		638.82						
Commercial airfare							11,006.48				11,645.30
Joshua Kirstner	8/12	8/16	Middle East		638.82						
Commercial airfare							6,656.60				7,295.42
Hon. Silvestre Reyes	8/24	8/26	S.E. Asia		436.00						
	8/26	8/28	S.E. Asia		566.00						
Commercial airfare	8/28	8/29	S.E. Asia		163.00						
Michael Delaney	8/24	8/26	S.E. Asia		436.00		10,167.64				11,932.64
	8/26	8/28	S.E. Asia		566.00						
Commercial airfare	8/28	8/29	S.E. Asia		163.00						
Hon. Mike Rogers	9/6	9/8	Middle East		922.00		16,286.54				17,451.54
Commercial airfare							7,295.90				8,217.90
Christopher Donesa	9/6	9/8	Middle East		922.00						
Commercial airfare							7,295.90				8,217.90
Hon. Michael Conaway	9/20	9/22	Latin America		720.00						
Commercial airfare							2,697.70				3,417.70
Chelsey Campbell	9/20	9/22	Latin America		720.00						
Commercial airfare							1,971.70				2,7691.70
Harry Hulings	9/20	9/22	Latin America		720.00						
Commercial airfare							1,971.70				2,691.70
In accordance with title 22, United States Code, Section 1754 (b)(2), information as would identify the foreign countries in which the Committee Members and staff have traveled is omitted.											
Committee total											

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SILVESTRE REYES, Chairman, Oct. 30, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4715. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Sale and Disposal of National Forest System Timber; Downpayment and Periodic Payments (RIN: 0596-AC80) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4716. A letter from the Chief, PRAB/Office of Research and Analysis, Department of Agriculture, transmitting the Department's final rule — Senior Farmers' Market Nutrition Program Regulations, Nondiscretionary Provisions of Public Law 110-246, the Food, Conservation, and Energy Act of 2008 (RIN: 0584-AD92) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4717. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

4718. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No. FEMA-8095] received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4719. A letter from the Associate General Counsel for Legislation and Regulation Divi-

sions, Department of Housing and Urban Development, transmitting the Department's final rule — Home Equity Conversion Mortgage (HECM) Counseling Standardization and Roster [Docket No.: FR-4989-F-02] (RIN: 2502-AI34) received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4720. A letter from the Associate General Counsel for Legislation and Regulation Divisions, Department of Housing and Urban Development, transmitting the Department's final rule — HUD Acquisition Regulation (HUDAR) Debarment and Suspension Procedures; Correcting Amendment [Docket No.: FR-5098-C-03] (RIN: 2535-AA28) received October 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4721. A letter from the Acting Deputy General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Exception to the Maturity Limit on Second Mortgages (RIN: 3133-AD64) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4722. A letter from the Chief, PRAB, Office of Research and Analysis, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment [FNS-2009-001] (RIN: 0584-AD71) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4723. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 7 [NRC-2009-0349] (RIN: 3150-AI71) received October 23, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

4724. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(b); to the Committee on Foreign Affairs.

4725. A letter from the Deputy Secretary of the Treasury, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4726. A letter from the Co-Chairs, Commission on Wartime Contraction, transmitting Special Report 2 "Lowest-priced security not good enough for war-zone embassies", pursuant to Public Law 110-181, section 841(d)(2); to the Committee on Foreign Affairs.

4727. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a proposed removal from the United States Munitions List of civil aircraft equipped with the JETEYE Counter-MANPADS installation Kit (A-Kit), pursuant to Section 38(f)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4728. A letter from the Librarian of Congress, Library of Congress, transmitting the Annual Report of the Library of Congress, for the fiscal year 2008, pursuant to 2 U.S.C. 139; to the Committee on House Administration.

4729. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure [Docket No.: 0812171612-9134-02] (RIN: 0648-XR63) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4730. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XS04) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4731. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XS06) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4732. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Black Sea Bass Recreational Fishery; Emergency Rule [Docket No.: 0909101271-91272-01] (RIN: 0648-AY23) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4733. A letter from the Deputy Assistant Administrator for Management and Administration, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Final Rulemaking To Designate Critical Habitat for the Threatened Southern Distinct Population Segment of North American Green Sturgeon [Docket No.: 080730953-91263-02] (RIN: 0648-AX04) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4734. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery off the Southern Atlantic States; Amendment 7 [Docket No.: 071025620-91118-03] (RIN: 0648-AW19) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4735. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for 2009 Summer Period [Docket No.: 0809251266-81485-02] (RIN: 0648-XR94) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4736. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish Fisheries; 2009-10 Main Hawaiian Islands Bottomfish Total Allowable Catch [Docket No.: 0908131233-91275-02] (RIN: 0648-XQ14) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4737. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Western Alaska Community Development Quota Program, Rockfish Program, Amendment 80 Program; Bering Sea and Aleutian Islands Area Crab Rationalization Program [Docket No.: 080312430-91317-02] (RIN: 0648-AW56) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4738. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XS12) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4739. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels in the Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XR78) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4740. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XR32) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4741. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XS11) received October 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4742. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XS17) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4743. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XR92) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4744. A letter from the Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Jus-

tice Programs' Bureau of Justice Assistance for Fiscal Year 2006 and 2007, pursuant to 42 U.S.C. 3712(b); to the Committee on the Judiciary.

4745. A letter from the Chairperson, National Commission on Children and Disasters, transmitting An interim report on the Commission's progress, pursuant to Public Law 110-161, section 611(a) (121 Stat. 2217); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself and Mr. COBLE):

H.R. 4113. A bill to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY (for herself, Mr. HELLER, Mr. NADLER of New York, Mr. KENNEDY, Mrs. CAPPS, Mr. WAXMAN, Ms. SPEIER, Mr. MCGOVERN, Mr. ISRAEL, Mr. GRIJALVA, Ms. RICHARDSON, Mr. PERRIELLO, Mr. ENGEL, Mr. DELAHUNT, Mr. COSTA, Ms. WATSON, Mr. HALL of New York, Mr. STARK, Ms. CHU, Ms. NORTON, Mr. MOORE of Kansas, Mr. HOLT, and Mr. SCHIFF):

H.R. 4114. A bill to reduce the rape kit backlog, and for other purposes; to the Committee on the Judiciary.

By Mr. NADLER of New York (for himself, Mr. JOHNSON of Georgia, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. DELAHUNT, Ms. JACKSON-LEE of Texas, Ms. CHU, Mr. MICHAUD, Ms. KILPATRICK of Michigan, and Mr. COHEN):

H.R. 4115. A bill to amend title 28, United States Code, to provide a restoration of notice pleading in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Ms. MOORE of Wisconsin (for herself, Mr. SCHOCK, Mr. SABLAN, and Mrs. BIGGERT):

H.R. 4116. A bill to reauthorize the Family Violence Prevention and Services Act, and for other purposes; to the Committee on Education and Labor.

By Mr. ARCURI (for himself, Mr. LEE of New York, Mr. COURTNEY, and Mr. HOLDEN):

H.R. 4117. A bill to amend the Agricultural Adjustment Act to clarify that the delivery of milk to a handler under a Federal milk marketing order occurs when the raw milk is received at the producer's farm, and the producer may not be charged for transportation-related costs incurred by a handler after the raw milk leaves the farm, and for other purposes; to the Committee on Agriculture.

By Mr. KIRK (for himself and Mr. ROSKAM):

H.R. 4118. A bill to prohibit the Federal Government from holding security interests, and for other purposes; to the Committee on Financial Services.

By Mr. REHBERG:

H.R. 4119. A bill to authorize the construction of the Dry-Redwater Regional Water Authority System in the State of Montana and a portion of McKenzie County, North Dakota, and for other purposes; to the Committee on Natural Resources.

By Mr. LATHAM (for himself, Mr. KING of Iowa, Mr. TERRY, Mr. LUETKEMEYER, Mrs. BACHMANN, Mr. JOHNSON of Illinois, Mr. BLUNT, Ms. JENKINS, Mr. BURTON of Indiana, Mr.

TIAHRT, Mr. SHIMKUS, Mr. MORAN of Kansas, Mr. ROSKAM, Mr. FORTENBERRY, Mr. SENSENBRENNER, and Mr. KLINE of Minnesota):

H.R. 4120. A bill to prohibit the transfer of individuals detained at Guantanamo Bay, Cuba, to facilities in Midwestern States, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL of New York (for himself, Mr. BILBRAY, Mr. LAMBORN, Mr. RODRIGUEZ, Mrs. KIRKPATRICK of Arizona, Mrs. HALVORSON, Mr. DONNELLY of Indiana, and Mr. MILLER of Florida):

H.R. 4121. A bill to amend title 38, United States Code, to improve the appeals process of the Department of Veterans Affairs, to establish a commission to study judicial review of the determination of veterans' benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. SCOTT of Virginia, Mr. HINOJOSA, Mr. GRIJALVA, Mr. LOEBACK, Mr. DAVIS of Illinois, and Mr. FATTAH):

H.R. 4122. A bill to support high-need middle and high schools in order to improve students' academic achievement, graduation rates, postsecondary readiness, and preparation for citizenry; to the Committee on Education and Labor.

By Ms. WATERS (for herself, Mr. BOOZMAN, Mr. MARKEY of Massachusetts, Mr. SMITH of New Jersey, Mr. WOLF, Ms. ROS-LEHTINEN, Ms. LINDA T. SANCHEZ of California, Mr. TOWNS, Mrs. CHRISTENSEN, Ms. RICHARDSON, Ms. SHEA-PORTER, Mr. GRIJALVA, Ms. NORTON, Mr. SALAZAR, Mr. KILDEE, Mr. WELCH, Mr. DELAHUNT, Mr. TAYLOR, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mr. MEEKS of New York, Mr. CARNEY, Mr. MEEK of Florida, Ms. BORDALLO, Mr. BOSWELL, Mr. BLUMENAUER, Mr. HINOJOSA, Mr. BISHOP of Georgia, Mr. MASSA, Ms. KAPTUR, Ms. ROYBAL-ALLARD, Mr. SIRE, Mr. LOBIONDO, Mr. SCHIFF, Mr. KENNEDY, Mr. SCOTT of Virginia, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Ms. SCHAKOWSKY, Mr. COURTNEY, Mr. COHEN, Mr. CLAY, Mr. RYAN of Ohio, Mr. HASTINGS of Florida, Mr. PAYNE, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. LOEBACK, Mr. OLVER, Ms. FUDGE, Mr. HIGGINS, Ms. CORRINE BROWN of Florida, Ms. LEE of California, Mr. MCDERMOTT, Mrs. MALONEY, Mr. PIERLUISI, Mr. BRALEY of Iowa, and Ms. LORETTA SANCHEZ of California):

H.R. 4123. A bill to amend the Public Health Service Act to authorize grants for treatment and support services for Alzheimer's patients and their families; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself, Ms. RICHARDSON, Mr. LOEBACK, and Ms. BORDALLO):

H.R. 4124. A bill to amend the Public Health Service Act with respect to the prevention of diabetes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NYE (for himself, Mr. ELLSWORTH, Ms. VELÁZQUEZ, Mr. SCHRADER, Mr. ALTMIRE, Ms. CLARKE, Mrs. KIRKPATRICK of Arizona, Ms. BEAN, and Mrs. DAHLKEMPER):

H.R. 4125. A bill to amend the Small Business Act to improve services for small business concerns owned and controlled by serv-

ice-disabled veterans, and for other purposes; to the Committee on Small Business.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. PASCRELL, Ms. LINDA T. SANCHEZ of California, Mr. BRALEY of Iowa, Mr. HINCHEY, Mr. MASSA, Ms. SCHAKOWSKY, Mr. WELCH, Mr. GENE GREEN of Texas, Mr. DEFAZIO, Mr. MCGOVERN, Mr. TIERNEY, Mr. YARMUTH, and Mr. BLUMENAUER):

H.R. 4126. A bill to amend the Internal Revenue Code of 1986 to prevent the overstatement of benefits payable to non-highly compensated employees under qualified plans, and for other purposes; to the Committee on Ways and Means.

By Mr. GOHMERT (for himself, Mr. SMITH of Texas, Mr. DANIEL E. LUNGREN of California, Mr. OLSON, Mr. BROUN of Georgia, Ms. FOX, Mr. ROE of Tennessee, Ms. FALLIN, Mr. GARRETT of New Jersey, Mr. CARTER, Mr. MARCHANT, Mr. LAMBORN, Mr. CONAWAY, Mr. HALL of Texas, Mr. SHADEGG, Mr. PITTS, Mr. POSEY, Mr. BISHOP of Utah, Mr. ROONEY, Ms. GINNY BROWN-WAITE of Florida, Mrs. SCHMIDT, Mr. COLE, Mr. LATTA, Mrs. LUMMIS, Mr. BONNER, Mr. BURTON of Indiana, Mr. GINGREY of Georgia, Mr. NEUGEBAUER, Mr. PENCE, Mr. CULBERSON, Mrs. BACHMANN, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. BACHUS, Ms. GRANGER, Mrs. BLACKBURN, Mr. ALEXANDER, Mr. KING of New York, Mr. MCCARTHY of California, Mr. RYAN of Wisconsin, and Mr. SESSIONS):

H.R. 4127. A bill to amend title 10, United States Code, to provide that alien unprivileged enemy belligerents may only be tried by military commissions if tried for alleged conduct for which a term of incarceration or the death penalty may be sought; to the Committee on Armed Services.

By Mr. MCDERMOTT (for himself, Mr. WOLF, Mr. FRANK of Massachusetts, and Mr. PAYNE):

H.R. 4128. A bill to improve transparency and reduce trade in conflict minerals, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. SMITH of New Jersey, Mr. CONYERS, and Mr. CARDOZA):

H.R. 4129. A bill to amend the Crime Control Act of 1990 to require certification of State and law enforcement agency reports related to missing children and to require that certain information be provided to individuals reporting a missing child, and for other purposes; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. MURTHA, Mr. LARSON of Connecticut, Ms. ESHOO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, and Ms. LINDA T. SANCHEZ of California):

H.R. 4130. A bill to amend the Internal Revenue Code of 1986 to establish a temporary surtax to offset the costs of the Afghanistan war; to the Committee on Ways and Means.

By Mr. ADLER of New Jersey (for himself and Ms. DEGETTE):

H.R. 4131. A bill to prohibit smoking in and around Federal buildings; to the Committee on Transportation and Infrastructure, and in addition to the Committees on House Administration, and the Judiciary, for a period to

be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA (for himself, Ms. GINNY BROWN-WAITE of Florida, Ms. ROYBAL-ALLARD, Mr. PUTNAM, and Ms. RICHARDSON):

H.R. 4132. A bill to amend the Internal Revenue Code of 1986 to provide for clean renewable water supply bonds; to the Committee on Ways and Means.

By Mr. CANTOR (for himself and Mr. DAVIS of Alabama):

H.R. 4133. A bill to amend the Internal Revenue Code of 1986 to exempt public school rehabilitation from the tax-exempt use exception to the rehabilitation credit; to the Committee on Ways and Means.

By Mr. CLAY (for himself, Ms. CLARKE, Mr. GRIJALVA, Mrs. CHRISTENSEN, Ms. BORDALLO, Ms. NORTON, Ms. CORRINE BROWN of Florida, and Mr. DAVIS of Illinois):

H.R. 4134. A bill to require companies submitting offers to the Government for Federal contracts to include subcontracting agreements with the offers, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. HARE, Mr. HASTINGS of Florida, Mr. TONKO, Ms. NORTON, Ms. WOOLSEY, Ms. LINDA T. SANCHEZ of California, Mr. NADLER of New York, Mr. CAPUANO, and Ms. JACKSON-LEE of Texas):

H.R. 4135. A bill to keep Americans working by strengthening and expanding short-time compensation programs that provide employers with an alternative to layoffs; to the Committee on Ways and Means.

By Mr. ETHERIDGE:

H.R. 4136. A bill to extend the temporary duty suspensions on certain cotton shirting fabrics, and for other purposes; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 4137. A bill to authorize the Secretary of the Interior to provide preservation and interpretation assistance for resources associated with the New Bedford Whaling National Historical Park in the Commonwealth of Massachusetts, and for other purposes; to the Committee on Natural Resources.

By Mr. GINGREY of Georgia (for himself, Mr. CASSIDY, Mr. FLEMING, Mr. BOOZMAN, Mr. HERGER, Mr. SESSIONS, Mr. CULBERSON, Mr. HALL of Texas, Mr. WHITFIELD, Mr. SHIMKUS, Mr. BUYER, Mrs. MYRICK, Mr. PAULSEN, Mr. ROONEY, Ms. GRANGER, Mr. ROSKAM, Mrs. BLACKBURN, Mr. PRICE of Georgia, and Mr. ROE of Tennessee):

H.R. 4138. A bill to amend title XVIII of the Social Security Act to provide for an update under the Medicare physician fee schedule, to be fully paid for through medical liability reform, a pathway for biosimilar biological products, and other means; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER (for himself, Mr. CHILDERS, Mr. THOMPSON of Mississippi, and Mr. TAYLOR):

H.R. 4139. A bill to designate the facility of the United States Postal Service located at

7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office"; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida (for himself, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLEAVER, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Ms. WATSON, and Mr. WEXLER):

H.R. 4140. A bill to provide for an evidence-based strategy for voluntary screening for HIV/AIDS and other common sexually transmitted infections, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILL:

H.R. 4141. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow certain individuals and households to be eligible for Federal assistance; to the Committee on Transportation and Infrastructure.

By Mr. HINCHEY:

H.R. 4142. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Financial Services.

By Mr. INGLIS:

H.R. 4143. A bill to suspend temporarily the duty on silver sodium hydrogen zirconium phosphate; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Ms. BERKLEY, Ms. BALDWIN, Mr. BLUMENAUER, Mr. BARTLETT, Ms. MCCOLLUM, and Ms. SUTTON):

H.R. 4144. A bill to amend the Internal Revenue Code of 1986 to modify the investment tax credit for combined heat and power system property; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4145. A bill to amend title II of the Social Security Act to prohibit the issuance of social security account numbers to non-immigrant aliens who are admitted to the United States as students in order to pursue a full course of study or their spouses or minor children unless such aliens are applicants for or recipients of benefits under a program financed by the Federal Government; to the Committee on Ways and Means.

By Mr. KLINE of Minnesota:

H.R. 4146. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide for disclosure regarding compensation for services to pension plans; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia (for himself and Mr. DAVIS of Kentucky):

H.R. 4147. A bill to provide for rollover treatment to traditional IRAs of amounts received in airline carrier bankruptcy; to the Committee on Ways and Means.

By Mr. LOEBSACK (for himself, Mrs. EMERSON, Mr. GRIJALVA, Mrs. DAVIS of California, Mr. POLIS of Colorado, Mr. MCGOVERN, Ms. CHU, Ms. MCCOLLUM, Ms. WOOLSEY, Mr. ANDREWS, Mr. SCOTT of Virginia, and Mr. AL GREEN of Texas):

H.R. 4148. A bill to amend the Richard B. Russell National School Lunch Act to improve and expand direct certification procedures for the national school lunch and school breakfast programs, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee

on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MARKLEY of Colorado (for herself and Mr. PAULSEN):

H.R. 4149. A bill to amend the Internal Revenue Code of 1986 to provide a renewable electricity integration credit for a utility that purchases or produces renewable power; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 4150. A bill to designate the Department of Veterans Affairs medical center in Big Spring, Texas, as the George H. O'Brien, Jr., Department of Veterans Affairs Medical Center; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 4151. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the District of Columbia under the Medicaid Program to 75 percent; to the Committee on Energy and Commerce.

By Mr. PALLONE:

H.R. 4152. A bill to authorize the Secretary of Education to make grants to eligible schools to assist such schools to discontinue use of a derogatory or discriminatory name or depiction as a team name, mascot, or nickname, and for other purposes; to the Committee on Education and Labor.

By Mr. PLATTS (for himself and Mrs. MCCARTHY of New York):

H.R. 4153. A bill to amend title 23, United States Code, to establish national standards to prevent distracted driving, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POMEROY:

H.R. 4154. A bill to amend the Internal Revenue Code of 1986 to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, to retain the estate tax with a \$3,500,000 exemption, and for other purposes; to the Committee on Ways and Means.

By Mr. SARBANES:

H.R. 4155. A bill to amend the Internal Revenue Code of 1986 to permit the issuance of tax-exempt bonds for financing clean energy improvements under State and local property assessed clean energy programs; to the Committee on Ways and Means.

By Mr. SIREs:

H.R. 4156. A bill to provide for certain improvements in the laws relating to housing for veterans, and for other purposes; to the Committee on Financial Services.

By Mr. TIAHRT (for himself, Mr. SAM JOHNSON of Texas, Mr. INGLIS, and Mr. SOUDER):

H.R. 4157. A bill to repeal the authority of the Secretary of the Treasury to extend the Troubled Asset Relief Program and return all unobligated funds to reduce the public debt; to the Committee on Financial Services.

By Mr. YARMUTH:

H.R. 4158. A bill to suspend temporarily the duty on certain hydrogenated polymers of norbornene derivatives; to the Committee on Ways and Means.

By Ms. JACKSON-LEE of Texas (for herself, Mr. CLAY, Mr. CONYERS, Ms. CLARKE, Mr. DELAHUNT, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. RANGEL, and Ms. SPEIER):

H. Con. Res. 215. Concurrent resolution supporting the goals and ideals of World AIDS Day, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. FRANKS of Arizona, Mr. POE of

Texas, Mr. GOHMERT, Mr. COBLE, Mr. GALLEGLY, Mr. CHAFFETZ, Mr. SENBRENNER, Mr. HARPER, Mr. JORDAN of Ohio, Mr. ROONEY, Mr. DANIEL E. LUNGREN of California, Mr. ISSA, Mr. KING of Iowa, Mr. GOODLATTE, and Mr. FORBES):

H. Res. 920. A resolution directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession regarding certain matters pertaining to detainees held at Naval Station, Guantanamo Bay, Cuba who are transferred into the United States; to the Committee on the Judiciary.

By Mr. LARSON of Connecticut:

H. Res. 921. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. KING of New York (for himself, Mr. SMITH of Texas, Mr. SOUDER, Mr. DANIEL E. LUNGREN of California, Mr. ROGERS of Alabama, Mr. MCCAUL, Mr. DENT, Mr. BILIRAKIS, Mr. BROUN of Georgia, Mrs. MILLER of Michigan, Mr. OLSON, Mr. CAO, and Mr. AUSTRIA):

H. Res. 922. A resolution directing the Secretary of Homeland Security to transmit to the House of Representatives all information in the possession of the Department of Homeland Security relating to the Department's planning, information sharing, and coordination with any state or locality receiving detainees held at Naval Station, Guantanamo Bay, Cuba on or after January 20, 2009; to the Committee on Homeland Security.

By Mr. HOEKSTRA:

H. Res. 923. A resolution requesting the President to transmit to the House of Representatives all documents in the possession of the President relating to the effects on foreign intelligence collection of the transfer of detainees held at Naval Station, Guantanamo Bay, Cuba, into the United States; to the Committee on Intelligence (Permanent Select).

By Mr. MCKEON:

H. Res. 924. A resolution directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to the trial or detention of Khalid Sheikh Mohammed, Walid Muhammad Salih Mubarek Bin 'Attash, Ramzi Binalshibh, Ali Abdul Aziz Ali, or Mustafa Ahmed Adam al Hawsawi; to the Committee on Armed Services.

By Mr. DEFAZIO (for himself, Mr. STEARNS, Mrs. DAVIS of California, Mr. LARSEN of Washington, Mr. MARSHALL, Mr. MASSA, Mr. RODRIGUEZ, Ms. BORDALLO, Mr. LAMBORN, Mr. DOGGETT, Mr. BRALEY of Iowa, Mr. PERLMUTTER, Mr. BLUMENAUER, Ms. KAPTUR, Mr. BOCCIERI, Mr. SCHRADER, Mr. MICHAUD, Mr. COOPER, Mr. FILLNER, Mr. FARR, and Mr. DICKS):

H. Res. 925. A resolution expressing the sense of the House of Representatives regarding the meritorious service performed by aviators in the United States Armed Forces who were shot down over, or otherwise forced to land in, hostile territory yet evaded enemy capture or were captured but subsequently escaped; to the Committee on Armed Services.

By Mr. TOWNS:

H. Res. 926. A resolution honoring former Representative Shirley Chisholm, on the occasion of the 85th anniversary of her birth, for her dedication and for providing an example of selfless service; to the Committee on House Administration.

By Mr. BARTON of Texas:

H. Res. 927. A resolution declaring that it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability; to the Committee on Foreign Affairs.

By Ms. RICHARDSON (for herself, Mr. OBERSTAR, Ms. LEE of California, Mr. MCDERMOTT, Ms. MOORE of Wisconsin, Mr. STARK, Mr. JOHNSON of Georgia, Mr. RUSH, Ms. JACKSON-LEE of Texas, Mr. CARSON of Indiana, and Mr. FATTAH):

H. Res. 928. A resolution supporting of the goals and ideals of Universal Children's Day to encourage citizens in the United States to share in the mission of improving the lives of all children around the world; to the Committee on Foreign Affairs.

By Ms. RICHARDSON (for herself, Mrs. CHRISTENSEN, Ms. NORTON, Mr. HARE, Mr. JOHNSON of Georgia, Mr. FATTAH, Mr. COHEN, Ms. MOORE of Wisconsin, Ms. JACKSON-LEE of Texas, Mr. GRIJALVA, and Mr. HONDA):

H. Res. 929. A resolution recognizing December 2 as the International Day for the Abolition of Slavery and the 60th anniversary of the adoption by the United Nations General Assembly of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and commending the efforts of modern day abolitionists following in the tradition of Frederick Douglass; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Res. 930. A resolution supporting the goals and ideals of the 20th anniversary celebration of the Harris County Hospital District's Thomas Street Health Center, which coincides with World AIDS Day; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana:

H. Res. 931. A resolution supporting the goals and ideals of the International Day for the Elimination of Violence against Women; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHU (for herself and Ms. MATSUI):

H. Res. 932. A resolution expressing the sense of the Congress that all State public health departments, local public health departments, hospitals, doctor offices, and other health care providers should adhere to guidelines issued from the Centers for Disease Control and Prevention with regard to the H1N1 influenza virus; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H. Res. 933. A resolution commending the Government of Japan for its current policy against currency manipulation and encouraging the Government of Japan to continue in this policy; to the Committee on Ways and Means.

By Mr. DINGELL:

H. Res. 934. A resolution calling on the Government of the Republic of Korea to end unfair trade practices as such practices relate to the automotive industry, expressing the sense of the House of Representatives that it should take into account such unfair trade practices of the Republic of Korea when the House of Representatives considers the United States-Korea Free Trade Agreement, and for other purposes; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. HALL of New York,

Mr. LEE of New York, and Mr. MINNICK):

H. Res. 935. A resolution honoring John E. Warnock, Charles M. Geschke, Forrest M. Bird, Esther Sans Takeuchi, and IBM Corporation for receiving the 2008 National Medal of Technology and Innovation; to the Committee on Science and Technology.

By Mr. QUIGLEY (for himself, Ms. BEAN, Mrs. BIGGERT, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. FOSTER, Mr. HARE, Mrs. HALVORSON, Mr. JACKSON of Illinois, Mr. JOHNSON of Illinois, Mr. KIRK, Mr. LIPINSKI, Mr. MANZULLO, Mr. ROSKAM, Mr. RUSH, Ms. SCHAKOWSKY, and Mr. SHIMKUS):

H. Res. 936. A resolution honoring the citizen-soldiers of the Army National Guard of the State of Illinois, including the 33rd Infantry Brigade Combat Team of the Illinois Army National Guard, which recently returned from deployment to Afghanistan; to the Committee on Armed Services.

By Ms. ROS-LEHTINEN (for herself, Mr. DREIER, Mr. BRADY of Texas, and Mr. HASTINGS of Washington):

H. Res. 937. A resolution recognizing that Colombia is a vital democratic ally of the United States in the fight against extremism and drug trafficking in the Western Hemisphere and further recognizing the extensive and immediate benefits that passage of the United States-Colombia Trade Promotion Agreement would bring to the United States; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of California (for himself, Mr. GENE GREEN of Texas, Mrs. BONO MACK, and Mr. BILBRAY):

H. Res. 938. A resolution expressing the sense of the House of Representatives that the leaders of Congress and other legislative branch offices should work together to establish and implement a coordinated program for the reuse, recycling, and appropriate disposal of obsolete computers and other electronic equipment used by offices of the legislative branch; to the Committee on House Administration.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Mr. DAVIS of Kentucky.
H.R. 24: Mr. ROYCE, Mr. HOLT, Mr. MEEK of Florida, Mr. AUSTRIA, Mr. RYAN of Wisconsin, and Mr. HODES.
H.R. 39: Mr. BOUCHER.
H.R. 156: Mr. ROGERS of Kentucky.
H.R. 211: Mr. MAFFEI, Mr. HIGGINS, and Mr. BRIGHT.
H.R. 275: Mr. CALVERT and Mr. GARY G. MILLER of California.
H.R. 305: Mr. ACKERMAN.
H.R. 333: Mr. STUPAK.
H.R. 391: Mr. WAMP.
H.R. 422: Mr. BOUSTANY and Ms. JENKINS.
H.R. 571: Ms. SHEA-PORTER and Ms. MARIKEY of Colorado.
H.R. 593: Mr. STUPAK.
H.R. 644: Mr. MASSA, Mr. LUJÁN, and Mr. INSLEE.
H.R. 678: Mr. LATOURETTE.
H.R. 690: Mr. TOWNS.
H.R. 705: Mr. SESTAK.
H.R. 803: Mr. CONNOLLY of Virginia.
H.R. 847: Mr. NEAL of Massachusetts, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. UPTON, Mr. FILNER, and Ms. HARMAN.

H.R. 886: Mr. ALEXANDER.

H.R. 916: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DOGGETT, and Mr. AL GREEN of Texas.

H.R. 932: Mr. LANGEVIN.

H.R. 995: Mr. ELLISON, Mr. MOORE of Kansas, and Mr. WILSON of Ohio.

H.R. 1021: Mr. GONZALEZ and Mr. BISHOP of New York.

H.R. 1028: Mr. HALL of New York, Mr. DOGGETT, and Mr. DEAL of Georgia.

H.R. 1074: Mr. HEINRICH.

H.R. 1126: Ms. ESHOO.

H.R. 1132: Mr. SMITH of Washington and Mr. POSEY.

H.R. 1175: Mr. HALL of New York.

H.R. 1177: Ms. BEAN, Mr. GUTIERREZ, Mr. RANGEL, Mr. RAHALL, Mr. RUSH, Mr. BRALEY of Iowa, Mr. LOEBSACK, Mr. INSLEE, Mr. DICKS, Mr. ALTMIRE, Mr. BACA, Mr. BARROW, Mr. BERRY, Mr. BOYD, Mr. CARDOZA, Mr. CARNEY, Mr. CHANDLER, Mr. CHILDERS, Mr. COOPER, Mr. COSTA, Mr. DAVIS of Tennessee, Mr. DONNELLY of Indiana, Ms. GIFFORDS, Mr. GORDON of Tennessee, Mr. GRIFFITH, Ms. HARMAN, Mr. HILL, Mr. HOLDEN, Mr. MATHESSON, Mr. MELANCON, Mr. NYE, Mr. POMEROY, Mr. ROSS, Mr. SALAZAR, Mr. SCOTT of Georgia, Mr. SHULER, Mr. SPACE, Mr. THOMPSON of California, Mr. WILSON of Ohio, Mr. ELLSWORTH, and Mr. DRIEHAUS.

H.R. 1203: Mr. HALL of Texas.

H.R. 1205: Mr. FORTENBERRY.

H.R. 1207: Mr. CLAY and Mr. LUJÁN.

H.R. 1214: Mr. PETERS.

H.R. 1228: Mr. CALVERT.

H.R. 1250: Mr. LINDER and Mr. DENT.

H.R. 1310: Ms. GIFFORDS.

H.R. 1326: Mr. OLVER.

H.R. 1330: Mr. AL GREEN of Texas.

H.R. 1335: Mr. LEWIS of Georgia.

H.R. 1351: Mr. CARSON of Indiana.

H.R. 1407: Mr. ROSS.

H.R. 1521: Mr. LINDER, Mr. SCHOCK, and Mr. HELLER.

H.R. 1523: Mr. FRANK of Massachusetts.

H.R. 1526: Mr. WAMP.

H.R. 1545: Mr. WELCH.

H.R. 1552: Mr. SNYDER.

H.R. 1557: Mr. DUNCAN and Ms. JENKINS.

H.R. 1584: Ms. ROS-LEHTINEN.

H.R. 1585: Mr. DELAHUNT.

H.R. 1616: Ms. SLAUGHTER and Ms. TITUS.

H.R. 1625: Mr. ALTMIRE.

H.R. 1708: Mrs. DAVIS of California and Ms. MOORE of Wisconsin.

H.R. 1778: Mr. RYAN of Ohio.

H.R. 1806: Ms. SCHAKOWSKY, Mr. CARNEY, and Ms. WASSERMAN SCHULTZ.

H.R. 1831: Mr. BUYER.

H.R. 1836: Mr. AUSTRIA.

H.R. 1869: Ms. MOORE of Wisconsin.

H.R. 1894: Ms. PINGREE of Maine.

H.R. 1956: Mr. SCHRADER.

H.R. 1990: Mrs. KIRKPATRICK of Arizona.

H.R. 2140: Mr. WHITFIELD.

H.R. 2143: Mr. SMITH of Nebraska.

H.R. 2149: Mr. PETERSON and Mr. NYE.

H.R. 2159: Mr. ACKERMAN, Ms. CLARKE, and Mrs. MALONEY.

H.R. 2189: Mr. GARRETT of New Jersey.

H.R. 2194: Mr. LEWIS of California.

H.R. 2222: Mr. PLATTS.

H.R. 2296: Mr. HALL of Texas.

H.R. 2324: Mrs. CAPPS and Ms. JACKSON-LEE of Texas.

H.R. 2365: Ms. ZOE LOFGREN of California.

H.R. 2382: Mr. ABERCROMBIE.

H.R. 2390: Mr. PAYNE and Mr. DOGGETT.

H.R. 2425: Ms. EDWARDS of Maryland.

H.R. 2443: Mr. MURPHY of Connecticut.

H.R. 2455: Mr. WAXMAN, Mr. ABERCROMBIE, Mr. COURTNEY, Ms. JACKSON-LEE of Texas, Mr. DEFazio, Mr. MCGOVERN, Mrs. CAPPS, and Ms. ESHOO.

H.R. 2460: Mr. LANGEVIN.

H.R. 2478: Mr. CRENSHAW and Mrs. BONO MACK.

H.R. 2480: Mr. OLVER.
H.R. 2502: Ms. EDWARDS of Maryland.
H.R. 2528: Mr. LARSEN of Washington, Mr. DAVIS of Alabama, and Mr. BOUSTANY.
H.R. 2628: Ms. FUDGE.
H.R. 2698: Mr. PASTOR of Arizona.
H.R. 2699: Mr. PASTOR of Arizona and Mr. MINNICK.
H.R. 2710: Mr. CUELLAR and Mr. WILSON of Ohio.
H.R. 2737: Ms. ZOE LOFGREN of California, Mr. OLSON, Mr. KILDEE, Mr. PRICE of Georgia, and Mr. ALTMIRE.
H.R. 2755: Mr. JACKSON of Illinois.
H.R. 2788: Mr. BARTON of Texas.
H.R. 2807: Mr. JOHNSON of Illinois.
H.R. 2817: Mr. DOGGETT and Mr. WELCH.
H.R. 2829: Mr. ROTHMAN of New Jersey.
H.R. 2866: Mr. KLEIN of Florida and Mr. RYAN of Ohio.
H.R. 2906: Mr. LATHAM.
H.R. 2964: Ms. EDWARDS of Maryland.
H.R. 2999: Mr. WELCH.
H.R. 3004: Mr. SCHOCK.
H.R. 3024: Mr. CLAY, Ms. ROYBAL-ALLARD, and Ms. MCCOLLUM.
H.R. 3037: Mr. KRATOVLIL.
H.R. 3077: Mr. DOGGETT and Mr. MARKEY of Massachusetts.
H.R. 3105: Mr. CAMPBELL.
H.R. 3131: Mr. JONES.
H.R. 3185: Ms. FUDGE.
H.R. 3212: Mrs. CAPPS.
H.R. 3226: Mr. CALVERT.
H.R. 3239: Ms. RICHARDSON.
H.R. 3240: Mr. MCCOTTER.
H.R. 3286: Mr. CHANDLER.
H.R. 3515: Mr. RUSH, Mr. FILNER, Mr. PAYNE, and Mrs. CHRISTENSEN.
H.R. 3321: Ms. LEE of California, Ms. CLARKE, Mr. SCOTT of Virginia, and Mr. PAYNE.
H.R. 3343: Mr. JACKSON of Illinois.
H.R. 3355: Mr. SPACE, Mr. WALZ and Mr. LATOURETTE.
H.R. 3359: Mr. HONDA, Mr. GENE GREEN of Texas, and Ms. RICHARDSON.
H.R. 3380: Mr. BISHOP of New York and Mr. JOHNSON of Georgia.
H.R. 3382: Mr. LOBIONDO.
H.R. 3401: Ms. LEE of California, Mr. ELLISON, Ms. ESHOO, Mr. COHEN, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 3404: Mr. CARDOZA.
H.R. 3450: Ms. KAPTUR, Mr. JONES, Mr. FILNER, Ms. WATSON, Mr. RUSH, Mr. TOWNS, and Mr. MEEKS of New York.
H.R. 3463: Mr. KING of Iowa.
H.R. 3502: Mr. WAMP and Mr. SOUDER.
H.R. 3519: Mr. COLE, Mr. ROE of Tennessee, and Mr. ALEXANDER.
H.R. 3524: Mr. COSTELLO, Mr. BLUMENAUER, and Mr. LANGEVIN.
H.R. 3554: Mr. FRANK of Massachusetts.
H.R. 3578: Mr. SCHIFF.
H.R. 3589: Mr. LOBIONDO and Mr. DOYLE.
H.R. 3613: Mr. CALVERT and Mr. BARTON of Texas.
H.R. 3634: Mr. CAMP.
H.R. 3646: Ms. DEGETTE.
H.R. 3666: Mr. PLATTS.
H.R. 3668: Mr. BUCHANAN.
H.R. 3670: Mrs. DAHLKEMPER.
H.R. 3693: Mr. WAMP and Mr. SOUDER.
H.R. 3703: Mr. SHERMAN.
H.R. 3706: Ms. FOXX, Mr. LAMBORN, Mr. BONNER, Mr. AKIN, Mr. CARTER, Mr. MARCHANT, Mr. BISHOP of Utah, Mr. KING of Iowa, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. HALL of Texas, Mr. KLEIN of Florida, Mr. COLE, Mr. GOHMERT, Mr. BROUN of Georgia, Mr. CAMPBELL, Mr. BARTLETT, Mrs. BLACKBURN, Ms. FALLIN, Mr. ROE of Tennessee, and Mr. CONAWAY.
H.R. 3720: Mr. COSTELLO.
H.R. 3724: Mr. THOMPSON of Pennsylvania.
H.R. 3732: Mrs. BONO MACK.
H.R. 3745: Mr. GUTIERREZ.

H.R. 3771: Mr. CUMMINGS.
H.R. 3790: Mr. BROUN of Georgia, Mr. HODES, Mr. ACKERMAN, Ms. ROS-LEHTINEN, and Mr. LATTA.
H.R. 3832: Mr. CANTOR, Mrs. MYRICK, Mr. CONAWAY, Ms. GRANGER, Mr. HALL of Texas, Mr. GOHMERT, Mr. OLSON, Mr. CAMPBELL, Mr. ROE of Tennessee, and Ms. FALLIN.
H.R. 3838: Mr. POLIS.
H.R. 3845: Mr. MICHAUD.
H.R. 3855: Mrs. CHRISTENSEN and Mr. WEINER.
H.R. 3887: Mr. POE of Texas, Mr. CRENSHAW, and Mrs. BONO MACK.
H.R. 3904: Mr. FOSTER.
H.R. 3916: Mr. HOLDEN, Mr. CARNEY, and Mr. ALTMIRE.
H.R. 3926: Ms. EDWARDS of Maryland and Mr. SCOTT of Virginia.
H.R. 3929: Mr. CAO.
H.R. 3936: Mr. KUCINICH, Ms. GINNY BROWN-WAITE of Florida, and Mr. LARSON of Connecticut.
H.R. 3942: Mr. PETERSON and Mr. LATTA.
H.R. 3943: Mr. PETERSON, Mr. NYE, Mr. WELCH, Ms. SUTTON, and Ms. DELAURO.
H.R. 3964: Mr. SCALISE.
H.R. 3986: Mr. COHEN, Mr. RANGEL, Ms. WOOLSEY, Mr. TOWNS, Mr. RUSH, and Mr. FILNER.
H.R. 3995: Mr. DEFazio.
H.R. 4014: Ms. ZOE LOFGREN of California and Ms. CHU.
H.R. 4037: Mr. BERMAN and Ms. HIRONO.
H.R. 4042: Mr. NYE.
H.R. 4047: Mr. FLEMING.
H.R. 4051: Mr. THOMPSON of Pennsylvania and Mr. HIGGINS.
H.R. 4053: Mr. CLEAVER.
H.R. 4058: Mr. DICKS and Ms. BORDALLO.
H.R. 4070: Mr. PETERSON, Mr. HOLDEN, Mr. MOORE of Kansas, Mr. SCOTT of Georgia, Mr. WALZ, Mr. POLIS, Mr. LATHAM, and Ms. HIRONO.
H.R. 4073: Mr. PETERSON and Ms. BORDALLO.
H.R. 4085: Mr. WU.
H.R. 4086: Mr. KING of New York.
H.R. 4088: Mr. PLATTS, Mr. WOLF, Mr. GERLACH, Mr. BOSWELL, Mr. SENSENBRENNER, Mr. ROGERS of Kentucky, and Mr. BURGESS.
H.R. 4089: Ms. FUDGE and Ms. JENKINS.
H.R. 4093: Mr. SHIMKUS, Mrs. BIGGERT, Mr. ROYCE, Mr. ROSKAM, and Mr. BURTON of Indiana.
H.R. 4110: Mr. MARIO DIAZ-BALART of Florida, Mr. SHUSTER, Mr. CULBERSON, Mr. SMITH of Texas, and Mr. SAM JOHNSON of Texas.
H.R. 4111: Mr. SAM JOHNSON of Texas, Mrs. BACHMANN, Ms. GRANGER, Mr. CONAWAY, and Mr. ALEXANDER.
H.R. 4112: Ms. Kaptur.
H. J. Res. 42: Ms. GINNY BROWN-WAITE of Florida.
H. Con. Res. 137: Mr. HONDA.
H. Con. Res. 198: Mr. SCOTT of Virginia and Mr. CALVERT.
H. Con. Res. 199: Mr. COHEN and Mr. TAYLOR.
H. Con. Res. 200: Ms. FOXX.
H. Con. Res. 213: Ms. BORDALLO and Ms. MOORE of Wisconsin.
H. Res. 35: Ms. EDWARDS of Maryland, Ms. BORDALLO, Ms. ESHOO, Mr. DOYLE, Ms. HARMAN, Mr. ROSS, Mr. MATHESON, Mr. POE of Texas, Ms. BALDWIN, Mr. ELLISON, Mr. CONYERS, Mr. TANNER, Mr. BOYD, Mr. SHULER, Mr. CHANDLER, Mr. FILNER, Ms. HIRONO, Mr. HINCHEY, Mr. PETERS, Mr. MURPHY of Connecticut, Mr. ROGERS of Kentucky, Ms. WASSERMAN SCHULTZ, Mr. KLEIN of Florida, Mr. HASTINGS of Florida, Mr. HIGGINS, Ms. LINDA T. SANCHEZ of California, Mr. SARBANES, and Mr. McMAHON.
H. Res. 55: Mr. GUTHRIE, Mr. SHUSTER, Mr. YOUNG of Florida, Mr. CULBERSON, Mr. GARRETT of New Jersey, Mr. McKEON, Mr. SULLIVAN, Mr. SHADEGG, Mr. LATOURETTE, Mr.

TIBERI, Mr. LOBIONDO, Mr. STEARNS, Mr. SOUDER, Mr. DUNCAN, Mr. ROGERS of Kentucky, Mr. KING of Iowa, Mr. MANZULLO, Mr. HELLER, Mr. FRANKS of Arizona, Mr. JONES, Ms. ROS-LEHTINEN, Mr. HALL of Texas, Mr. CASSIDY, Mr. BROUN of Georgia, Mr. MACK, Mr. DAVIS of Kentucky, Mr. LATTA, Mr. MICA, Mr. COFFMAN of Colorado, Mr. POE of Texas, Mr. ISSA, Ms. KAPTUR, Mr. PAULSEN, Mr. MCCARTHY of California, Ms. JENKINS, Mr. WEXLER, Mr. WALDEN, Mr. UPTON, Mr. BOUSTANY, Mr. KING of New York, Mr. EHLERS, Mr. LEE of New York, Mr. ROSKAM, Mr. MILLER of Florida, Mr. PUTNAM, Mr. POSEY, Mr. THOMPSON of Pennsylvania, Mr. BOOZMAN, Mr. REICHERT, Mr. DEAL of Georgia, Mr. LINDER, Mr. WESTMORELAND, Mr. ROE of Tennessee, Mr. JORDAN of Ohio, Mr. AKIN, Mr. ROHRBACHER, Mrs. CAPITO, Mr. BILIRAKIS, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SMITH of New Jersey, Mr. SENSENBRENNER, Mr. BISHOP of Utah, Mr. YOUNG of Alaska, Mr. CHAFFETZ, Mr. LANCE, Mr. CONAWAY, Mr. TIAHRT, Ms. GRANGER, Mr. THORNBERRY, Mr. HENSARLING, Mrs. BIGGERT, Mr. KANJORSKI, and Mr. WHITFIELD.
H. Res. 111: Mr. HINCHEY and Mr. KING of Iowa.
H. Res. 278: Mr. DOGGETT.
H. Res. 440: Mr. ALEXANDER.
H. Res. 699: Mr. BOREN.
H. Res. 713: Mr. SCOTT of Virginia, Mr. MASSA, Mr. ROSS, Ms. CORRINE BROWN of Florida, Ms. SCHAKOWSKY, Mr. MELANCON, Mr. PALLONE, Mr. SPRATT, and Ms. BERKLEY.
H. Res. 759: Mr. ROSKAM and Mr. SULLIVAN.
H. Res. 776: Ms. MOORE of Wisconsin and Mr. QUIGLEY.
H. Res. 779: Mr. ISSA, Mr. CALVERT, Mr. LATOURETTE, Mr. YOUNG of Florida, Mr. SCHOCK, Mr. REICHERT, Ms. GINNY BROWN-WAITE of Florida, Mrs. MYRICK, Mr. DAVIS of Kentucky, Mr. PAULSEN, Mrs. McMORRIS RODGERS, Mr. LATTA, Mr. PETRI, Mr. LANCE, Mr. LEWIS of California, Mr. MANZULLO, Mr. GUTHRIE, Mr. LEE of New York, Mr. CASTLE, Mr. COBLE, Ms. ROS-LEHTINEN, and Mrs. EMERSON.
H. Res. 809: Mr. LUETKEMEYER, Mr. PITTS, Mr. BARTLETT, Mrs. SCHMIDT, Mr. COBLE, Ms. FALLIN, Mr. JORDAN of Ohio, Mr. BONNER, Mr. AKIN, Mr. CARTER, Mr. POSEY, Mr. BISHOP of Utah, Mr. CULBERSON, Mr. CAMPBELL, Mr. DANIEL E. LUNGREN of California, Mr. MARCHANT, Mr. LAMBORN, Mr. KING of Iowa, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. BOOZMAN, Mr. CONAWAY, Mr. KLINE of Minnesota, Mr. COLE, Ms. GRANGER, Mr. HALL of Texas, Mr. GOHMERT, Mr. BARTON of Texas, and Mr. ROE of Tennessee.
H. Res. 847: Mr. ROGERS of Kentucky.
H. Res. 852: Mr. WILSON of South Carolina.
H. Res. 855: Mr. KLEIN of Florida.
H. Res. 860: Mr. HARE, Mr. HODES, Mr. CARDOZA, Mr. SIREs, and Mr. BOSWELL.
H. Res. 861: Mr. LATTA and Mr. BOSWELL.
H. Res. 873: Mr. GRAVES and Mr. WAMP.
H. Res. 879: Mr. ROSS.
H. Res. 888: Mr. ALEXANDER.
H. Res. 900: Mr. THOMPSON of Pennsylvania and Mr. McMAHON.
H. Res. 901: Mr. MEEKS of New York, Mr. SCOTT of Virginia, Ms. ZOE LOFGREN of California, Mr. CARDOZA, and Mr. CLEAVER.
H. Res. 904: Mr. TAYLOR, Mr. MARSHALL, and Mr. NYE.
H. Res. 911: Mr. UPTON, Mr. BURGESS, Mr. McHENRY, Mr. CANTOR, Mr. CARTER, Mr. POE of Texas, Mr. McCAUL, Ms. GRANGER, Mr. NEUGEBAUER, Mr. GOHMERT, Ms. FOXX, Mr. FORBES, Mr. BOEHNER, Mr. SHIMKUS, Mr. BLUNT, Mr. KING of Iowa, Mr. FLEMING, Mr. PRICE of Georgia, Mr. ROE of Tennessee, Mrs. CAPITO, Mrs. SCHMIDT, Mr. CASSIDY, Mrs. BONO MACK, Mr. SMITH of Texas, Mr. HOEKSTRA, Mr. LAMBORN, Mr. ROSKAM, and Mrs. MILLER of Michigan.

H. Res. 913: Mr. FATTAH.

H. Res. 914: Mr. MILLER of Florida, Mr. EDWARDS of Texas, Ms. DELAURO, Mr. TERRY, Mr. TOWNS, Mr. GRIJALVA, and Ms. FUDGE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3904: Mr. LOEBACK.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petitions were filed:

Petition 7, November 18, 2009, by Mr. PETER HOEKSTRA on H.R. 2294, was signed by the following Members: Peter Hoekstra, Howard P. “Buck” McKeon, Peter J. Roskam, Lynn A. Westmoreland, Gary G. Miller, Ken Calvert, Tom McClintock, Dana Rohrabacher, Lamar Smith, Virginia Foxx, Howard Coble, Leonard Lance, Mary Bono Mack, Connie Mack, Ted Poe, Elton Gallegly, Jerry Lewis, Bob Goodlatte, Donald A. Manzullo, Mark Steven Kirk, John Abney Culberson, Ralph M. Hall, Louie Gohmert, Greg Walden, Charles W. Boustany, Jr., Mac Thornberry, Zach Wamp, Glenn Thompson, Robert E. Latta, Paul Ryan, Jo Ann Emerson, Pete Olson, Chris-

topher John Lee, Blaine Luetkemeyer, Tom Price, John Linder, Jerry Moran, Devin Nunes, Steve Buyer, Bill Shuster, Bill Posey, John A. Boehner, Roy Blunt, Jo Bonner, Gus M. Bilirakis, Joe Wilson, David G. Reichert, J. Randy Forbes, K. Michael Conaway, John Boozman, John Fleming, Jeff Miller, Todd Russell Platts, Gregg Harper, Sue Wilkins Myrick, Candice S. Miller, John B. Shadegg, Adrian Smith, John R. Carter, Harold Rogers, Geoff Davis, Dave Camp, Ander Crenshaw, Randy Neugebauer, Sam Johnson, Mike Coffman, Lee Terry, Michael K. Simpson, Brett Guthrie, Denny Rehberg, John Campbell, Kay Granger, Rodney Alexander, Steve King, Jim Gerlach, Dan Burton, Frank D. Lucas, Ginny Brown-Waite, Jim Jordan, Daniel E. Lungren, Charles W. Dent, Lincoln Diaz-Balart, Mario Diaz-Balart, W. Todd Akin, Todd Tiahrt, Wally Herger, Thomas J. Rooney, Doug Lamborn, Steve Austria, Steve Scalise, Tom Cole, Cynthia M. Lummis, Erik Paulsen, Michele Bachmann, John L. Mica, Kevin Brady, J. Gresham Barrett, Cliff Stearns, John Kline, Jeb Hensarling, Jason Chaffetz, Michael R. Turner, Judy Biggert, Duncan Hunter, Joseph R. Pitts, Pete Sessions, Tim Murphy, Mike Rogers (AL), Cathy McMorris Rodgers, Spencer Bachus, David P. Roe, Marsha Blackburn, F. James Sensenbrenner, Jr., Frank R. Wolf, Dean Heller, Thaddeus G. McCotter, Adam H. Putnam, Jack Kingston, Patrick J. Tiberi, Brian P. Bilbray, Lynn Jenkins, Eric Cantor, Vern Buchanan, Kenny Marchant, Phil

Gingrey, Mark E. Souder, Rob Bishop, Peter T. King, Rodney P. Frelinghuysen, Frank A. LoBiondo, Edward R. Royce, Thomas E. Petri, Robert J. Wittman, Anh “Joseph” Cao, C. W. Bill Young, Trent Franks, Paul C. Broun, Bob Inglis, Michael C. Burgess, David Dreier, John Shimkus, Nathan Deal, Jean Schmidt, Jeff Fortenberry, Don Young, Christopher H. Smith, Mary Fallin, George Radanovich, Steve C. LaTourette, Vernon J. Ehlers, Scott Garrett, Ed Whitfield, Tom Latham, Fred Upton, John J. Duncan, Jr., Patrick T. McHenry, Bill Cassidy, Kevin McCarthy, Mike Rogers (MI), Robert B. Aderholt, and Ileana Ros-Lehtinen.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3961

OFFERED BY: MR. COFFMAN OF COLORADO

AMENDMENT No. 1: Page 13, after line 3, insert the following:

SEC. 3. PAYFOR THROUGH USE OF UNUSED STIMULUS FUNDS.

Any unobligated balances, as of the date of the enactment of this Act, of funds made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) are rescinded.